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CIS Congressional Information Service, Inc.
Washington, D.C.

Report on Data Protection and Privacy in Seven Selected States

By Robert Ellis Smith

For the Office of Technology Assessment

US 84-10/8

February 15, 1985

This contractor document was prepared by an outside contractor as an input to an ongoing OTA assessment. It does not necessarily reflect the analytical findings of OTA, the Advisory Panel, or the Technology Assessment Board.

J952-47

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Assistants: Kathryn Ritter, Kathy Kubovic

I Introduction

This report describes the privacy protections in effect in seven selected states in the U.S., along with the extent of personal data collection in the states, with particular emphasis on "computer matching" at the state level.

Many states have long been considered "laboratories" for new forms of public policy and legislation before they are adopted at the federal level for nationwide applicability. This has been true in the area of privacy protection, where in many areas -- personnel records, medical records, cable TV, computer crime, and school records -- the states have been ahead of the Congress in enacting legislation. In addition, a few states are ahead of the federal government in establishing small but effective offices that oversee compliance with privacy requirements.

It is also true that the states are repositories of more extensive and more sensitive personal data than are the federal agencies. The states are also engaged in more "computer matching" than are federal agencies, but at the state level matching has been much less controversial and much less publicized. At the state level, "computer matching" is a routine function of government. The Social Security number is generally the key identifier when matches are conducted. The one data element that is part of just about all data banks is a person's Social Security number. Thus, the states, like federal agencies, have accelerated the trend towards the Social Security number as a de facto universal identifier for all citizens.

This study describes the trend of privacy protection in the states generally, then describes the information collection, the matching, and the use of identifiers at the state level. This is followed by descriptions of privacy protection and matching in seven selected states -- California, Florida, Indiana, Minnesota, New York, Texas, and Virginia. The report concludes with a comparison of the various states, to determine whether progressive privacy policies have much effect on personal data collection and on computer matching.

Privacy Since the 1970s

A proposal (in 1965) for a Federal Data Center to centralize all personal
information held by the federal government led to extensive hearings on
"Federal Data Banks, Computers and the Bill of Rights" by the Senate Subcommittee
on Constitutional Rights in 1971. This prompted the then Secretary of Health,
Education, and Welfare, the custodian of perhaps the largest single collection
of information about individuals, to appoint an advisory committee on Automated
Personal Data Systems. The committee could develop no hard-and-fast rules
about data and confidentiality and so it settled on principles of fairness.
This "Code of Fair Information Practice" would require that all data banks
be publicly announced, that an individual be informed about how information
about himself is used, that information gathered for one purpose not be used
for another purpose without individual consent, that the individual have an Foot
opportunity to see, challenge, and correct his or her own data file, and that
the data custodian be responsible for keeping personal information accurate, 1)
timely, and secure. The code had an immediate and lasting effect, as policymakers
sought to apply safeguards to personal data in the 1970s. The language of the 2)
federal Privacy Act of 1974 came directly from the 1973 HEW report. Seven
of the committee members were part of state governments, and these "HEW report 3)
alumni" took the principles back to their states, and disseminated them to
legislators in other states as well. Language from the HEW report was often
introduced in toto as proposed state legislation (just as it was introduced
in the Congress as proposed legislation).
The first of these fair information practices laws passed in the U.S. was in
Minnesota in 1974. This predated the federal act by eight months. After 1975,
the states of Arkansas, Connecticut, Indiana, Massachusetts, Ohio, and Utah
followed suit. California enacted a law in 1978, and New York did so in two
stages, in 1980 and in 1983. 4)

Also because of the HEW advisory committee model, many states appointed commissions
or task forces to study the "privacy question" and recommend solutions. In
the 1970s study groups were appointed in Arizona, Illinois, Indiana, Iowa,
Massachusetts, Minnesota, Montana, New Jersey, Rhode Island, and Virginia.
(In 1980 the governor of California appointed a Commission on Personal Privacy,
whose primary focus was discrimination against homosexuals and related privacy
issues, not "information privacy.") 5)

In 1985, then, there are ten states - Arkansas, California, Connecticut, Indiana, Massachusetts, Minnesota, New York, Ohio, Utah, and Virginia -- with Fair Information Practices Acts, which apply, to state government files only, the fair information principles of accuracy, security, individual access and correction, and restricted disclosure. A few other states have partial protections. Colorado, for instance, permits citizens to see selected files, but there is no right of correction and no general prohibition on outside disclosure. Illinois and Kentucky permit individual access. New Hampshire requires data banks in state agencies to be registered with a central office. Computerized information in Oklahoma must be securely stored, by law; and in Washington State certain personal data may not be included in a central state data bank. There are also a plethora of laws 6) and regulations in each state that require confidentiality in certain narrowly defined categories of records. And there are many federal regulations that require state agencies to keep data confidential; alcoholism and drug abuse files are examples.

Concerns about privacy, of course, are not limited to records in government agencies. In fact, many of the repositories of especially sensitive information are in the private sector -- and in industries that have traditionally been regulated, if at all, at the state level, not the federal level. This includes medical care, insurance, banking, cable television, private employment, and secondary education. This is one reason that state privacy protections in these areas predate federal protections. Ten states have fair information practices laws regulating private employers; there is no such federal legislation. Six states regulate insurance records; there is no federal law. Sixteen states have such laws for medical records; there is no such federal law. Nine states recognize the privacy of bank customers by statute and an equal number do so by court decision; but the federal government does not. At least half the states protected student records before the Congress acted in 1974 with a law (Family Educational Rights and Privacy Act) that preempts state laws. A total of 36 states enacted laws against using a computer for criminal purposes or gaining unauthorized access to a computer ("hacking") before Congress passed limited protections in 1984. Four states enacted privacy protections in cable television service prior to the passage of federal legislation in 1984. 7)

Data Collection

In many respects the personal information gathered by state agencies is more sensitive and more extensive than that gathered by federal agencies. Many federal agencies administer programs that are funded through the states (or local educational agencies). The federal agencies do not store individually identifiable information on all of the beneficiaries of these programs, the states do. Federal auditors regularly have access to individually identifiable information to monitor program effectiveness, but the personal data on all participants is not stored in federal agencies themselves.

At the federal level, the most sensitive and extensive personal data stored are: employment history and FICA taxes paid, in the Social Security Administration; federal taxpaying history and accompanying deductions and other declarations, in the Internal Revenue Service; age, date of birth and current address, in the Selective Service Administration; biographical and family financial information relevant to student loans and grants, in the Department of Education; loan histories, in the regional offices of agencies that extend credit (Department of Housing and Urban Development, Department of Agriculture, Small Business Administration, Veterans Administration, among others); criminal histories, in the Federal Bureau of Investigation, along with the Drug Enforcement Administration, the military branches, the Alcohol, Tobacco, and Firearms Bureau, and Secret Service; suspicions of criminal activity and/or perceived threats to national security, in the National Security Agency, the Central Intelligence Agency, and military intelligence; correspondence to federal officials, in all agencies; and personnel records, in all agencies. 8)

At the state level, the following information is typically stored: income or business taxpayer records, in the revenue department; driving records, in the Department of Motor Vehicles; public assistance, in the welfare agency; drug and alcohol treatment records, in the appropriate agencies; communicable diseases and abortions, in the department of health; treatment at state institutions, in the departments of health, mental health, or public health; current earnings, in the quarterly reports submitted by employers (a few states require reporting less often) to the unemployment security office; criminal records and criminal intelligence, in the state police or Department of Public Safety; educational, financial aid, and vocational training information in the department of education; occupational information, in the various state licensing boards (attorneys, beauticians, auctioneers, boxers, vendors, physicians, etc.); patient information and physicians' earnings records, in the state agency administering Medicaid; suspicions of child abuse, in the appropriate state agency; and birth records of adoptees, in the adoption agency. 9)

Only one state, Indiana, has attempted to inventory all of these different systems of records. The Governor's Commission on Individual Privacy did this in its1976 report. The information is included in the section of this report about the State of Indiana. The inventory included the numerical identifiers 10) used and the type of information collected. This report provides other sources, to get a sense of the kinds of personal data collection at the state level. The California Office of Information Practices had a temporary employee compile an inventory (which is included in the section on California) but it is neither official nor complete. The state of Minnesota Data Privacy Division has distributed what it calls "a partial list of data which is referred to or classified by the Minnesota Government Data Practices Act or other Minnesota Statutes." (This list is included in the section on Minnesota.) The state of New York submitted to the National Association of State Information Systems for its 1976-1977 report a list of computer applications in state government. This list includes automated systems not containing personal data, but at the same time it provides an idea of the breadth of personal data collection in a large state. (The list is included in the section on New York.) By contrast, the section on Texas includes a list submitted by Texas to NASIS for its 1983-84 report showing computer applications and installations in state government. This is not a list of personal data banks, nor even of data banks, but a listing of hardware installed, by agency and function. (Data on all states is available in the NASIS report.)

Use of Identifiers

Virtually all state agencies that gather personal information also collect a person's Social Security number, whether out of habit or out of necessity. The Indiana commission report in 1976 said that 94 of the 199 state government files include the Social Security number. Virtually all of the systems that do not include SSNs have no other numerical identifier (birth, marriage and divorce records, dairy farmers, mechanic licensees). Demands for the number have undoubtedly increased since that time. Of the state-information systems officials who were interviewed for this report, not one said that the Social Security number was not included in personal data systems within his or her jurisdiction.

In 15 states, the Social Security number is used as the driver's license number and appears on the face of the license. In most other states, it is requested 11) from applicants for licenses or renewals and is stored with the licensee's name.

No state reported having developed its own unique identifier, although many agencies have a "case number" or "client number" assigned to data subjects, usually in addition to a Social Security number.

The only section of the Federal Privacy Act of 1974 that applies to state governments concerns use of the Social Security number. In effect, it imposes a moratorium on demands for an individual's SSN by federal, state, and local government agencies effective January 1, 1975. The law prohibits the denial of a government service on the basis of an individual's refusal to provide a Social Security number unless demands for the number were required by law or regulation on the books on or before January 1, 1975. (Many state agencies have since used general authorizations to gather information to justify their continued demands for SSNs.) The law was amended in 1976 to exempt any state tax, public assistance, or motor vehicle department from its prohibition. 12)

Use of the Social Security Number

Use of the Social Security number is, of course, common in the private sector, as well as at other levels of government. Here is a description of the use of Social Security numbers by the significant collectors of personal information:

Debt Collectors - They have Social Security numbers, gained from credit bureaus or individual credit grantors, but appear not to use them on a systematic basis. 13)

Department Stores - They collect Social Security numbers on credit application forms and use them to access automated credit bureau files.

Cable Television - There is no evidence that cable companies use SSNs as part of their automated data files, although some companies ask for a number upon application, as a means of checking credit worthiness, much like a utility.

Utilities - Local telephone companies regularly demand Social Security numbers from new customers who do not post a deposit or have well-established payment records for telephone service. The companies claim they need these numbers to track down non-payers at a later date. Although telephone company representatives do not announce this, they will acquiesce if the customer resists providing a number. Gas companies and electric utilities have much the same policies and uses.

Check Validation Services - These companies, for a fee, will answer telephone or computer inquiries from retail merchants with regard to personal checks presented by customers. Most services retrieve information by the driver's license number of the check writer, or in some cases the bank account number.
In 15 states, the driver's number is the Social Security number. Most check 14)
validation services have Social Security numbers on file, and many companies, like many debt collection companies, are owned by credit bureau companies.

Supermarkets - They demand Social Security numbers on applications for check-cashing privileges, although they seem not to use them for credit checks nor for retrieval. Some food stores check applicants with check verification services and use the SSN for that purpose.

Credit Card Issuers - These companies require Social Security numbers on applications and use them to access credit bureaus. The demand is not always mandatory.

Banks - Federal law requires that depository institutions collect Social Security numbers (taxpayer ID numbers) on any customer to whom interest will
be paid and to report that interest by taxpayer number to the Internal 15)
Revenue Service. Federal regulations under the Bank Secrecy Act require banks to "secure and maintain a record of the taxpayer identification
number of the person maintaining [any] account." The same law requires that 16)

some account number, although not necessarily a SSN, be recorded in certain large cash transactions. There is a fine for tax information reported to IRS without an individual taxpayer number attached. Banks often require a SSN on a loan application, and use it to access a credit bureau. Federal law does not extend to loans, safe deposit boxes, and other bank services, but most banks demand the number on each of these as well.

By regulation, the Department of Treasury requires SSNs on savings bonds and U.S. securities.

Major Oil Companies - The companies usually demand the SSN on credit applications and use it to access credit bureaus. Apparently some companies and individual service stations demand the number, and often the Social Security card itself, when a credit card other than their own is used.

Internal Revenue Service - The agency requires a Social Security number or taxpayer identification number (for entities other than individuals) on all tax returns and related forms. Organizations making taxable payments to individuals and organizations must report those payments by taxpayer ID number. This is authorized by the Internal Revenue Code. The code also 17)
restricts disclosure of the number and other taxpayer information. 18)

Federal Agencies - Since 1965 the military services have used the Social Security number as a "serial number" for each service member. This means that it appears on "dog tags" and other publicly available identification.

Federal agencies that make payments to individuals report these payments to IRS by taxpayer ID, and so such an ID number is required on applications for benefits or loans. Further, federal agencies now use credit bureaus to check on loan applicants and on delinquent payers (and use the SSN for this). The Social Security Administration itself, of course, collects the number for old-age pension records, Medicare, Supplemental Security Income, and IRS-related reporting. 19)

The Parent Locator Service in the Department of Health and Human Services was authorized by law in 1974 to access any federal (or state) data bank to track down parents not making support payments to their 20)
children. Only the Census files are exempt. The locator uses the Social Security number as the means of accessing other agency data banks. The law authorizing the locator also authorized requiring Social Security numbers of all recipients of Aid to Dependent Children, regardless of age. 21)
The Social Security Amendments of 1972 authorized collecting the SSN from

recipients of public assistance (welfare), Medicare, and Medicaid. The Department of Health and Human Services uses the number as a means of verifying identity of recipients by checking name and number with names and numbers on other known lists. An unstated purpose of the demands for 22) Social Security numbers is undoubtedly to deter fraud by leading recipients to believe that information is verified.

The Department of Agriculture requires Social Security numbers of all members of a household in which one member receives food stamps or reduced-price school lunches.

The Selective Service System began asking for name, address, sex, birth date, and Social Security number of young men when the current draft registration was established in 1980. The system uses the number as the 23) main means for conducting several computer matches with federal agencies, state agencies, and private organizations to identify young men who are not on the registration rolls. These agencies include the Internal Revenue Service (under the arrangement that technically prevents IRS "disclosure" of taxpayer information), Social Security Administration, state motor vehicle departments, lists of high school students, the Parent Locator, federal payrolls, and even a chain of ice-cream parlors that has young people register for birthday parties.

Mailing List Companies - Few if any companies market mailing lists with Social Security numbers, although a few commercial lists include the numbers. Clearly, lists of college alumni include such numbers and they are routinely rented to commercial users. Many membership organizations do the same. Still, there is no evidence that the SSN is a key data element in the mailing list industry.

Credit Bureaus - The regional credit bureau is a fully computerized clearinghouse of data about consumers' use of credit cards and charge accounts with local and national credit grantors. By law, the information may be used for credit, insurance, employment, or similar business purpose. The principal users of credit bureaus are retail merchants, credit-card issuers, some insurance companies, banks, landlords, some employers, occasional attorneys tracking down individuals, and, since 1984, federal agencies. The five major credit bureau companies, all fully automated, use Social Security numbers as a key data element. Inquiries to a credit bureau are just about always made by Social Security number, and in addition the number is used to prevent mistaken identities when retrieving files. This means that just about all users of credit bureaus demand Social Security numbers.

Law Enforcement - Most police departments collect Social Security numbers upon arrest. Mostly this data element remains passive (and undoubtedly far from accurate), but in the case of a major offense, computerized criminal histories are sent to criminal justice information systems at the state level, along with the Social Security number of the offender. These records, at least in 17 states, are made available to all 50 states through the FBI's National Crime Information Center (Interstate Identification Index). NCIC itself keeps criminal histories on federal offenders, with Social Security numbers. The numbers are a key means of linking criminal records with inquiries from employers and licensing boards, in jurisdictions where this is done and where it is legal. 24)

Insurance - Many insurance companies use the SSN as a policy number, and just about all companies keep the number on file at one point. Casualty companies use it to match motor vehicle data. Life insurors have less need of the number. But most collect it. Health companies use it to link data with Medicare and Medicaid when processing claims from hospitals and other providers.

Hospitals and Doctors - Most health providers need to collect the number for insurance reimbursement, although there is disagreement as to whether it is advisable to use the SSN as a patient ID number as well. Just about all publicly-supported hospitals use the SSN as a patient identifier; Veteran Administration hospitals, of course, simply use a retiree's military service number (SSN).

Medical Information Bureau - The MIB collects coded medical information from insurance applications, as supplied by 700 companies, and records the data in computerized files. It does not use Social Security numbers.

Motor Vehicle Departments - The federal National Driver Register was an impetus for state motor vehicle departments to require Social Security numbers. Dataflo Systems, part of Equifax Inc. (owner of the leading consumer investigating company and one of the major national credit bureaus), has computerized access to this data in the states, including Social Security numbers, which it sells to auto insurance companies. Each of 25)
the 51 motor vehicle departments were asked by Selective Service to provide names, addresses and Social Security numbers of all young men eligible for

draft registration, and all but one complied.

Employers - The most legitimate demand for the Social Security number is by an employer for the purpose of reporting income and taxes withheld (to the Internal Revenue Service) and Social Security contributions made (to the Social Security Administration). Consequently, many employers use the number as an employee ID number for convenience (sometimes having it displayed on ID badges and mailing labels). This means that it becomes a handy number for health insurance identification and for credit-union identification. Many employers ask for SSN on employment applications, usually out of habit, but sometimes in order to access a credit bureau file or criminal file. SSNs are required on the quarterly wage reports that employers must file with state unemployment compensation agencies.

Schools and Universities - Just about all private and public universities ask for a student's Social Security number upon registration and use it as a student identifier. State-supported institutions are restricted under the Privacy Act from requiring the number without statutory or regulatory authority, and so many permit a student to use an arbitrary substitute. Many financial aid programs require SSNs, which are readily available to the college registrar. Secondary schools generally do not collect or use SSNs, but the Social Security Administration encourages school systems to sponsor opportunities for students in the eighth grade or higher to get Social Security numbers at school. Eighty percent of all Social Security card applicants are under age 18, and so in-school enumeration has been pushed by the Social Security Administration as an efficient way of handling its workload.

State Agencies - In the typical state, the following agencies include Social Security numbers on individuals in their personal data systems: 26)

Boards and commissions licensing accountants, funeral directors, beauticians, plumbers, auctioneers, architects, etc.; state payroll office (*); athletic licensing commissions; corrections department (inmate files) (*); unemployment security compensation division (*); workers compensation board; retirement fund (*); department of health (laboratories, registry of handicapped persons, communicable disease files, handicapped registries); industrial board (accident reports); law enforcement (training, employees), manpower development or job retraining centers; mental health department; motor vehicle department (*); department of natural resources (boat licenses, hunting or fishing permits, violators, etc.); board of education (GEO test results, teacher certification, special services files); department of public welfare (welfare, food stamps, Medicaid, handicapped persons (*); real estate commission (brokers and sales licenses); rehabilitation services (registry of clients, of blind persons); tax department (*), state police (criminal history and traffic files); veterans department; department of agriculture (licensees), voter registration. An asterisk, (*), indicates that the SSN is commonly used to retrieve files.

Exchanges With Federal Agencies

Many state officials feel that federal requirements are a prime impetus for state agencies to collect personal information that apparently they otherwise would not collect. This was a concern expressed by privacy commissions in both Indiana and Iowa. Often states must gather personal data as a prerequisite to receiving federal funds -- whether in drug and alcohol treatment programs or public assistance programs -- or federal money is available for the purpose of establishing data banks -- as in the case of child abuse prevention, child support collection, criminal justice, and education. Indiana wrote into its Fair Information Practices Act a provision permitting exchanges of data "to receive federal funding reimbursement." Iowa's law on "Examination of 27)
Public Records" includes a section defining 12 categories of records as confidential, followed by this excemption: "If it is determined that any provision of this chapter would cause the denial of funds, services, or essential information from the United States government which would otherwise definitely be available to an agency of this state, such provision shall be suspended...to the extent necessary to prevent denial of such funds...." 28)

The impact on confidentiality is two-fold: sometimes federal programs require disclosure of personal information in the hands of a state agency in order to continue to qualify for the federal programs; in other instances federal regulations impose confidentiality requirements that conflict with a state's open records law. The Administrative Management Handbook of the Texas

Department of Human Resources lists more federal regulations governing confidentiality of the department's data than state laws or regulations.

Among the prominent exchanges of personal data between state agencies and federal agencies are:

States are required to dislose personal information to the Parent Locator Service in the Department of Health and Human Services for purposes of locating absent parents not meeting child-support obligations. In turn, state agencies use the services of the locator.

The Internal Revenue Service has an agreement with each state that has a state income tax to exchange individually identifiable taxpayer information. In the case of California, the tax authority's records on bank interest paid to individuals is now disclosed to the Supplemental Security Income (SSI) program in the Social Security Administration. Like any other payor of salaries, dividends, or miscellaneous income, a state agency must disclose such payments to the Internal Revenue Service.

Information about communicable diseases is shared with the U.S. Public Health Service, although not all of it is personally identifiable.

The motor vehicle department of each state sends names of drivers with revoked or suspended licenses to the National Driver Register in the Department of Transportation and in turn receives notices of its licensees who have revocations or suspensions in other states. Motor vehicle departments disclose to the Selective Service System the names and addresses of young men whose birthdates indicate they are required to register for the military draft.

Medicare is a federally financed health insurance program, in which state information is exchanged with federal officials for purposes of auditing and management. Similarly, the Food Stamp program is federally financed and state administered, with a two-way exchange of data on participants.

State agencies regularly release information to the Social Security Administration for purposes of verifying Social Security numbers of public assistance recipients.

State police departments and local police departments send to the Federal Bureau of Investigation fingerprints of any offenders who are arrested and booked. Criminal histories of major offenders are available to the FBI, other federal law enforcement agencies, and other states through the FBI's National Crime Information Center (NCIC). In specific investigations, of course, there is an exchange of intelligence information between state and federal law enforcement investigators.

Information on wages paid to private and public employees in a state, as reported on quarterly wage reports by employers, is available to various federal agencies, including the IRS, Social Security Administration, and Department of Housing and Urban Development.

Profiling

In recent years there has been increased concern about the use of disparate computer data either to categorize large groups of people or to predict human behavior. This technique is often referred to as "profiling."

A primitive form of this is "red-lining," the practice of outlining a certain neighborhood in red ink so that bank loan officers do not make mortgages there. (This practice by banks is now prohibited by law.) Similarly, a whole category of persons or groups of persons can be declared "off-limits" when a company is hiring employees or targeting markets. The assumption, of course, is that the behavior of all members of the group can be predicted because of the past behavior of other persons who belong to the same population segment. (For instance, if loan defaults are high in a certain Zip code, it is assumed that any loan applicant from that Zip code can be predicted to be a risk.)

Computers allow for more sophisticated "red-lining." One method is called "block modeling," described as a programming technique for combining disparate bits of data to evaluate how persons -- or organizations -- relate to each other. One example might be to feed into a computer the names of employees who talk by telephone to each other; persons whose phone calls are not returned by a certain employee; persons who take lunch together; persons who receive "carbon" copies of correspondence from a certain employee; employees whose work stations are not nearby each other; employees who meet together socially. The "blocks" developed by computer analysis would be discrete sets of persons who occupy similar positions in a hierarchy (even though they do not share the same characteristics). Block modeling of organizations might alert a company or a government agency to the disparate groups that lobby for or against its interests. "Block modeling classifies people on the basis of where they fit in a far larger web of relationships, according to two Yale sociologists who have studied the technique. 29)

A related technique is "credit scoring," used by companies that extend credit to consumers. Personal characteristics listed on a credit application are assigned points based on a previously designed model of credit worthiness. "For example, a home phone may be worth ten points, no phone two points; living in one part of town 25 points, in another, eight; owning or purchasing a home 20 points...." according to an authoritative account. 30) A total point score above a certain target either qualifies the applicant or warrants a check of his or her credit history to determine final qualification for credit; a "failing" score would disqualify the applicant automatically. The technique is "objective" and therefore less subject to the biases of an individual credit analyzer. On the other hand, it incorporates institutional biases. (In some scoring, not having a phone counts more than having brand new phone service, which connotes having recently changed residences.)

Another form, this one used by the governmental sector, involves "pre-delinquency" programs funded in the 1970s by the Law Enforcement Assistance Administration. The programs created computer models of delinquent youths by combining the characteristics that had been found to be common among all or most delinquents: a certain home life, area of residence, grades and deportment reports in school, ethnic group; size of the family; medical history, intelligence quota, and the like. Then a list of the youths in a certain population along with their characteristics was matched against the delinquency model. Those youngsters who most nearly matched the profile would be targeted for special "pre-delinquency" behavior modification, according to the research conducted under the LEAA grants.

In 1983 the Department of Justice revived support for this research. The Office of Juvenile Justice and Deliquency Prevention funded the Rand Corp. to develop strategies based on the "pre-delinguency" presumption. It also funded the University of Pennsylvania School of Nursing to identify the variables that fit profiles of rapists, child molesters and children who are sexually exploited. 31)

There may be a forerunner of "profiling" in the current move to check employees and applicants of day care centers against existing government files -- of criminal offenders, sex abusers, sex offenders, and the like. On Jan. 24, 1985, the Department of Health and Human Services released model guidelines for state regulation of day care facilities. The guidelines suggested a 32) criminal records check and other background screening as "one element in a comprehensive approach to preventing abuse." Because of the demographics of known child abusers, the department projected that such screening would detect a very small percentage of future abusers. There was no hint that "profiling" was being considered as a preventive measure. Two states in this study, New York and, to a much lesser extent, Virginia, have moved to increase criminal checks of applicants or employees in child care facilities.

All of the state officers interviewed in this study said that computer profiling is not used in their states. This includes fair information practices officers, as well as those who manage information technology in various agencies. None of the literature reviewed showed any evidence of "profiling" at this stage. It is a technique that seems to be used increasingly in the commercial sector, and it may well be coming to the governmental sector.

Computer Matching in the States

"Computer matching" is a procedure in which a computer is used to compare one or more automated systems of records in one agency with a set of records in another agency, another state, a federal agency, or a private entity.

There are a few generic matches that are now commonly conducted in most states with computer capability. The most extensive match is in administering unemployment insurance programs, both to detect fraudulent or duplicative payments and to monitor employers' payment of contributions. The match generally involves lists of unemployment compensation claimants (in the unemployment office) and lists of current or past employees on quarterly reports submitted by employers (sometimes in the department of revenue or of taxation). A total of 41 states reported conducting such matches; and 23 states reported matching records with other jurisdictions, according to Inventory of Computer Matching Activities in State Labor and Related Agencies published by the Department of Labor Inspector General in 1982. California and four other states reported matching claimant lists with lists of known dead persons. 33)

According to the 1982 report, fewer than 20 states reported conducting matches in their workers' compensation programs (as distinguished from the unemployment compensation program, this program compensates for work-related injuries and illnesses).

Most public attention has been focused on matching in public assistance programs ("income-based assistance" like Aid to Families With Dependent Children). A state public assistance agency typically matches recipient files against the quarterly wage reports submitted by employers to the state unemployment insurance office. This uncovers welfare recipients who are also listed by employers as receiving wages for employment. It can also uncover welfare recipients who are earning wages over an allowable limit. Examples of these matches are in Arkansas, California, Colorado, Georgia, Illinois, Indiana, and Michigan. Of the seven selected states in this study, California, Indiana, New York, Texas, and Virginia reported conducting such matches; and Florida and Minnesota reported negatively. 34)

Thirty-seven states submit Social Security numbers of welfare recipients to the Social Security Administration for computerized verification that the numbers are accurate. 3

At least two states, Massachusetts and Maryland, have authorizations in their laws for the public assistance program to conduct computer matches against the accounts of all bank customers in the state. 3

The Immigration and Naturalization Service is encouraging states to match motor
vehicle, welfare, and unemployment files with its data bank of current registered
aliens Colorado, Illinois, and California have agreed. California must approve
new regulations before this can be done, and the regulations have not yet been 3
published.

California, Minnesota, and several other states conduct Project Intercept (not
really a match, according to officials involved). Lists of persons owing money
to the state -- either in delinquent taxes, welfare overpayments or frauds,
faulty unemployment compensation, etc.) -- or those reported delinquent in
child support payments are submitted to the public assistance agency (or any
other agency making periodic payments) so that the amount owed is offset against
the state payments. This is also done with tax refund checks (not only in 38
the states, but by the Internal Revenue Service, as well).

Many states compare their lists of recipients, whether public assistance, unemployment compensation, or other payment programs, against comparable lists of recipients in neighboring jurisdictions, to determine who is "double-dipping." Examples are Virginia's unemployment compensation matches with Maryland and the District of Columbia; or Indiana's with Kentucky. 39

A key component in state matching plans is the report that an employer must submit, usually each quarter, listing all employees, Social Security numbers, and wages earned that quarter ("quarterly wage report"). Based on that list, the company calculates its contribution to the unemployment compensation fund and submits a payment. Based on these lists, terminated employees receive benefits from the fund in proportion to their earnings. Forty-two states require quarterly reports.

The Department of Housing and Urban Development has begun matching lists of tenants in its subsidized housing projects with state wage reports. 40)

There are other generic exchanges of personal data by most states that are significant, although they may not be classified strictly as "matches." Most of them predate the current federal initiative on matching, which began in 1978. They include:

Motor vehicle departments in 49 states provide lists of young, male drivers to the Selective Service System for matching against lists of men who have registered for a military draft. There were objections based on invasion of privacy expressed in many states, and in Vermont a mother picketed the DMV to protest. Some laws or regulations governing DMVs seem to prohibit such disclosures. But in the end the Selective Service System had nearly 100 percent participation. 41)

More than 80 percent of the motor vehicle departments disclose driving records and accident reports to Dataflo Systems, a division of Equifax, Inc., so that Dataflo may computerize the data and market it to insurance companies. The abstract includes Social Security number, driver license number, birth date, physical description, restrictions on the permit, and a chronological list of violations. An insurance company can then query one of five regional computers operated by Dataflo. 42)

Motor vehicle departments also disclose suspended or revoked licenses to the National Driver Register operated by the U.S. Department of Transportation in Washington and, in turn, query the system when persons apply for drivers' licenses. 43)

Just about all motor vehicle departments rent mailing lists of licensees and of automobile owners to mailing list firms and other marketers. A report by the Secretary of State in Illinois in 1983 stated that 44 states answered in the affirmative when surveyed on whether they rent mailing lists. The other six states did not respond. Many states, however, have regulations or laws limiting, if not fully prohibiting, such disclosures. 44

Some state higher education loan programs, like Virginia's, send their student loan records straight to the Pennsylvania Higher Education Assistance Agency (PHEAA), a public agency that manages an automated information system for loan programs in other states for a fee. California and Indiana also participate. 45

Every state with a state income tax has an agreement with the Internal Revenue Service to exchange computerized data on its taxpayers with IRS and to receive comparable information from IRS. 46

Of the seven selected states in this survey, all but Texas and Florida have fair information practices acts, which are supposed to limit disclosures of personal data by state agencies. In each of the five states with such acts, there is an office responsible for compliance. In each of the five states, the persons responsible for compliance were unaware of the full extent of computer matching in their own state bureaucracies. A few had partial information, but none had been consulted about proposed matches nor asked to give approval.

Rationale for Selecting the States

In order to study privacy protection in the states and the extent of information collection and sharing, the Office of Technology Assessment and the contractor decided upon criteria for selecting a manageable number of states for study. The rationale for selecting states was as follows:

(1) There should be a diversity of size, demographics, geographical region, agricultural/industrial character, and politics. In the end, there were three southern states, one northeast industrial state, one West Coast state, two midwest agricultural states, the three largest states in the nation, one state that ranks 21st in population (Minnesota), one that ranks 38th in land area (Indiana), at least two states regarded as politically liberal (California

and New York) and three regarded as conservative (Texas, Indiana, and Virginia).

(2) A majority, but not all, of the states selected should have fair information practices (privacy) acts. In fact, five of the selected states have such laws.

(3) Availability of literature was a factor. California, New York, and Minnesota are comprehensive in their publications about data-protection enforcement; Indiana's study commission on privacy provided the most complete profile of data collection at the state level.

(4) The relative advancement in privacy enforcement and in information management was a factor. California, Minnesota, and Massachusetts are clearly the most advanced in terms of legislation, litigation, and enforcement of fair information practices. OTA and the contractor also wanted to select a state that appears on the brink of enacting some scheme for privacy protection (Florida) and one that has given it no significant consideration (Texas). New York was selected in part because its FIP law is the most recent and it varies from the other states'.

(5) Aside from privacy protection, some states are regarded as trendsetters because of their demographics and their political histories. In Megatrends, futurist John Naisbitt listed California, Texas, and Florida as "megastates" where growth and progress are inevitable. California has long been a bellwether state. With their populist traditions, Wisconsin and Minnesota are regarded as fertile political laboratories.

(6) The contractor also looked to the relative effectiveness of the states' fair information practices enforcement mechanisms. Minnesota, California, and New York seemed to have the most sophisticated, based on trade literature, press reports, and specialists in the field. That was borne out by this study. The final selection, which was based on subjective observations, inevitably excluded some characteristics. Missing from the final list of seven are (1) a very small state and (2) a state with a mixture of laws, policies, court cases, and regulations providing partial privacy protections (like Illinois or New Hampshire).

Methodology

The study was based on journalistic practices, mainly telephone interviews with state officials. There were also telephone interviews with representatives in the private sector who work closely with state governments and with some federal officials. All of the literature published about each state's personal data collection and privacy enforcement were collected and scrutinized. There was a search of news clippings. Reports published by professional associations and the federal government were collected. The facts were checked by telephone and against written materials. Each state's principal data privacy representative was provided a preliminary draft in December and asked to submit corrections and comments. Each of them did so.

The contractor found just about all of the state officers contacted to be cooperative and informed. Only the Department of Human Resources in Texas was reluctant to describe its activities. The contractor found just about all of the state officials contacted to be more forthcoming and more directly involved in their agencies' missions than those on the federal level. The offices involved, of course, were smaller and the client populations much smaller than on the federal level.

II State-by-State Descriptions

What follows is a description of the privacy protections and the extent of computer matching in the selected states:

California

Pop. 23.66 million, ranks 1st.

Information Practices Act of 1977, Civil Code 1798

Justin Keay, Manager
Office of Information Practices
916/322-7468

Privacy Protection

California's Fair Information Practices Act was slow in coming because then Governor Edmund G. Brown Jr. vetoed versions of it in two successive years. He said that the proposals were too bureaucratic and complex. Instead, after his second veto in 1976, the governor signed an executive order that established many of the fair-information safeguards then in force in eight other states, notably limits on disclosure of personal data and an opportunity for an individual to inspect and correct his or her own record.

Complying with Executive Order B-22-76 gave state agencies an opportunity to gear up for the enactment of the Information Practices Act of 1977. "The new law didn't strike the agencies like a bolt from the sky," said Justin Keay, who now heads the Office of Information Practices created by the act. The office has a staff of two, Keay and one other, and both of them have a few extra duties in the State Personnel Board, in which the information practices office is lodged. In 1982, when a Commission on Personal Privacy issued its report to Governor Brown, it called the office "severely understaffed" and recommended a significant increase in its responsibilities (and presumably its staff). Keay, a 19-year veteran with state government and a specialist in personnel administration, views himself as a mid-level civil servant without a major policy-making role. C-1) C-2)

There is currently no legislative committee overseeing the office although the original sponsor of the law, State Senator David Roberti, still serves in the legislature and keeps an informal eye on its effectiveness. In the years before and after the act was passed, the California Information Systems Implementation Committee was concerned with this issue, but it has now been disbanded.

The Office of Information Practices has a toll-free telephone number for Californians to call with problems concerning personal information in state records. When there is publicity about a new records system, about Keay's office, or about invasions of privacy generally, the phone starts ringing, according to Keay. C-3)

In 1984, tax protestors used the Fair Information Practices Act as a means of trying to tie up the State Franchise Tax Board. The act permits such persons to file multiple requests for records and to make appeals of denials. Federal agencies and many states have found that prisoners are major users of privacy laws, but Keay has not experienced this, in part because laws other than the privacy act govern prisoners' access. Many callers ask information-related questions ("Where can I get a birth certificate?") that are not precisely complaints under the Information Practices Act, and many others merely have a question about state government ("What is the telephone number for the racing commission?") because Keay's toll-free number may be the only state-government telephone number those people have come across. Still others call in with complaints about privacy invasions that are not covered by the state act because they involve the private sector, the federal governemnt, or another individual. Keay thus finds himself giving guidance to persons who feel victimized by a variety of invasions of privacy.

Of callers inquiring about the information act itself, about a third complain about an inappropriate disclosure of personal information from state files, a third experience problems concerning access to information about themselves, and another third complain about the content of a record about themselves.

"Citizens respond favorably when we are able to get them access, but we have fewer results when trying to constrain disclosure," said Keay. He is not consulted on computer matches of records between disparate state agencies, for instance. After an investigation zeroed in on a state official who wrongfully leaked personal health information fron the State Veteran's Office, Keay's office could take no remedial action because it lacked adequate proof.

Since it was passed in 1977, California's law has been amended in technical ways in 1978, 1979, 1980, 1982 and 1984. Like the fair information practices acts in 10 states and the federal Privacy Act, the law regulates the collection, use, maintenance, disclosure, C-4) and dissemination of information relating to individuals. With certain exceptions, individuals may review, obtain copies, request amendments and corrections, and dispute information pertaining to them. There are civil remedies for violations, and state officers may be subject to criminal or disciplinary punishments for violations. The act, like those in eight other states, does not extend to local governments. The 1982 report of the Commission on Personal Privacy, which was primarily concerned with sexual orientation issues and not with what is called information privacy, recommended that the state legislature extend the right of individual access to records held by local governments. Because government agencies may charge a reasonable fee for this access, the commission saw no significant additional costs to local government. But it declined to recommend extension of all aspects of the information act (registration of systems of records, restraints on exchanges, etc.) to towns and cities because of the costs involved. C-5)

By contrast a 1980 report by the Legislative Analyst, a bi-partisan monitoring arm of the legislature, recommended that the act not be extended to local governments, at least not to local law enforcement agencies. The act itself directed the Analyst to monitor the implementation of the act in its first two years. Proponents of extending the law expressed concern that police officers were conducting surveillance of the political and religious activities of law-abiding dissidents, without authority, and that those under surveillance had no means of scrutinizing information gathered on them. The Legislative Analyst estimated the cost of local police departments implementing the act as excessive and further stated that the increased benefits of privacy "may be neutralized" by diminished effectiveness in fighting crime. C-6)

On another matter, the report noted that "a central directory of state records undeniably would increase citizens' access to information state agencies maintain on them." It recommended that such a directory be published by the Office of Information Practices and updated regularly. No such listing has yet been developed, although an intern in Keay's office once began work on one. Like the federal government, California has no readable directory of computer data banks that would assist a citizen in determining just which systems may include personal information about himself or herself. C-7)

California's law, like those in other states and the federal Privacy Act, requires departments and agencies to publish a notice of their systems of records. The information, then, for a useable directory is available. The office has notices on about 3200 systems (as compared to the federal government's nearly 6000). The state now lists 164 different computers among its agencies (most are minicomputers and microcomputers). This represents more than 42 percent over and above the next leading state, Texas, which lists 115. New York counts 77. C-8)

Reporting in January 1980, the Legislative Analyst said the Information Practices Act "did not lead to major reductions in either the amount or type of personal and confidential information [state agencies] collect." Nor were there many changes in the agencies' policies on disclosing personal information. "The reason for this appears to be that, prior to the passage of the Information Practices Act, the agencies' disclosure practices were similar to those required by [the act], although they were not formalized to the same extent." Language in individual state laws governing each of the agencies often mandated what kind of information could be released about individuals, even if the laws did not unify practices throughout state government, as the 1977 act did. Keay supports this viewpoint; he feels that the state civil servants were privacy conscious before the enactment of the act and tended to err on the side of not disclosing personal information when in doubt. C-9) C-10)

Like his counterparts in other states, Keay is constantly facing the dilemma whether to perform as a citizen's advocate clearly on the side of personal privacy or as the arbiter of competing state interests. Keay does not see himself as a citizen's advocate. "Our office is not concerned solely with privacy rights, but other state interests as well," he says. Since the act was enacted, Keay's office has published each year "Guidelines with Commentary" for the use of state agencies. The 77-page edition for 1985 reprints the text of the act, section-by-section, on the left side of the page with matching commentary, notes, and references on the right side. For instance, where the code states that an individual seeking access must have "proper identification," the commentary suggests that a driver's license should be sufficient in most cases. Where the code says that no record may be altered to avoid compliance with the act, the commentary refers readers to prohibitions against destruction of government data in another state law. Attachments to the annual guidelines reproduce sample forms used in administering the act.

In California there is a clear pro-privacy climate in and around state government. In 1972, by a two-to-one margin, voters approved an amendment to the State Constitution recognizing a right to privacy, and the State Supreme Court's decisions on privacy go far beyond those of the U.S. Supreme Court. The state court has invoked the constitutional provision to strike down police undercover work, limits on state-financed abortions, and zoning restrictions on unrelated "families." Associate Justice Stanley Mosk said in a 1977 speech, "A computerized society is a menace." The situs of the booming microchip industry in "Silicon Valley," Santa Clara County, has its own data protection law, the nation's only county privacy law. More than any other state, California complements its state privacy act with significant privacy legislation affecting records at other organizations: banks, cable TV companies, private employers, credit bureaus, consumer investigators, insurance companies, schools, police departments, banks, and health providers. There are stiff laws against wiretaps and polygraph use, as well. It is the most extensive collection of privacy protection laws in any state in the nation. C-11

Data Collection

California has not conducted an inventory of personal data systems. The closest thing to such an inventory is a list compiled by an intern in Keay's office that describes the records systems maintained by state agencies. It is organized by agency. It does not include the number of data files, nor the elements in the files, and Keay cautions that it is an unofficial and probably incomplete listing. The listing follows:

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Compensation Insurance Fund (SCIF) 1275 Market Street San Francisco, CA 94103	1. Employee Suggestions Program (295 files)	Mgt. Analyst Mgr.	(415) 565-1501
"	2. Personnel Files--Roster Cards (2200 files)	Personnel Services Manager	(415) 565-1186
"	3. Employee Suggestion Program (344 files)	" " "	"
"	4. Formal Training Record (1000 files)	Center for Training & Development Center	(415) 565-1472
Conservation, Dept. of 1416 9th St, Rm. 1342-1 Sacramento, CA 95814	1. Personnel Files (340 files)	Administrative Services--Personnel	(916) 323-6378
Consumer Affairs, Dept. of Div. of Investigations 1025 O St., Rm. A 605 Sacto., CA 95814	1. Case Files (7500 files)	Chief, Div. of Investigations	(916) 445-2537
"	2. Daily Activity Logs (15,000 files)	"	"
"	3. Monthly Case Labor Report (15,000 files)	"	"
Bd. Architectural Examiners 1021 O St., Sacto., CA 95814	4. Exam Result Cards (10,000 files)	Admin. Asst., Bd. Arch. Examiners	(916) 445-3393
"	5. Investigation Reports (200 files)	"	"
Bd. of Behavorial Science Examiners 1021 O St., Sacto., CA 95814	6. Applications Files (3,000 files)	Executive Secretary Bd. BSC	(916) 445-4933

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Contractor's State Lic. Bd. 1020 N St., Sacto, CA 95814	7. Applications/Licensee Folders (200,000 files)	Registrar of Contractors	(916) 445-4797
Bd. of Fabric Care 1020 N St., Sacto., CA 95814	8. Dry Cleaners License Records (13,000 files)	Ex. Secty., Bd. FC	(916) 445-7686
St. Bd. of Medical Quality Assurance 1430 Howe Ave., Sacto., CA 95825	9. License Master File (100,000 files)	Bur. Chief, Bur. of Med. Stats	(916) 920-6336
"	10. Physician & Surgeon Questionnaire (60,000 files)	"	"
"	11. Complaint/Investigation Tracking System (2,500 files)	"	"
Nursing Home Administrators 1020 O St., Sacto., CA 95814	12. Licentiate Folders (3,155 files)	Executive Officer NHA	(916) 445-8435
St. Bd. of Pharmacy 1021 O St., Rm. A198 Sacto., CA 95814	13. Business Name Files (8,000 files)	Ex. Secty. - St. Bd. Pharmacy	(916) 445-5014
"	14. Pharmicists/Intern Files (18,000 files)	"	"
Corporations, Dept. of	1. Central Public Index (2 Million files)	Chief Admin. Officer - Administration	(916) 445-5541
"	2. EDP Listing of Licencees and other data about licencees (No file size)	"	"
Corrections, Dept. of Calif. Mens Colony P.O.Box A, San Luis Obispo CA 93409	1. Inmate Case Records (2,700 files)	Correctional Case Records Manager classification and Treatment, Records Section	629-6651
Institutions, Regions	2. Inmate Case Records (240,000 files)	Chief Records Administrator	(916) 445-6713

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Office of Program Evaluation & Research	4. Calif. High School Proficiency (12,000 files per yr.)	Asst. Chief, Office of Prog. Ev. & Research	322-2200
Administration--Financial Services 515 L St., Rm. 24, Sacto., CA 95814	5. Claim for Reimbursement of Tuition to Parent of Handicapped Children (2,430 files)		(916) 445-4766
Special Programs & Support Services Mgt. 721 Capitol Mall, Rm. 621 Sacto., CA 95814	6. Master Registry of Deaf - Blind Children in Southwestern Region (975 files)	Dir. of Southwestern Region Deaf-Blind Center	322-2173
Employment Development, Dept. of Various locations	1. Unemployment Insurance System (5 Million files)	Various - by Office Location	
	2. Employment Services System (2½ Million files)	"	
Investigation Div. 1321 7th St., Sacto., CA 95814, MIC43	3. Investigative System of Records (3,000 files)	Chief, Investigative Div.	(916) 445-2379
Personnel Programs Div. 800 Capitol Mall, MIC54, Sacto., CA 95814	4. Personnel System (25,000 files)	Chief, Personnel Programs	(916) 445-7953
Various Locations	5. Work Incentive Program (WIN) System (1 Million files)	Various by location	
	6. Disability Insurance System (3 Million files)		
Equalization, State Board of Administration, Personnel Mgmt. Svcs. Div., 1020 N St., Sacto., CA 95814	1. Personnel Records (17,745 files)	Transactions Section Superv.	(916) 322-3308

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Dept. of Business Taxes 1808 14th St., Sacto. CA 95814	2. Use Tax Files (115,000 files)	Unit Supervisor, Operations Section	(916) 322-3470
Dept. of Property Taxes Assessment Standards Div. 1020 N St., Sacto., CA 95814	3. Appraiser Certification Records (5,800 files)	Senior Property Appraisor--Assessment Stds. Div.	(916) 445-4982
Property Tax Administrator Dept. Property Taxes 1020 N St., Sacto., CA 95814	4. Appraisal Files (12,000 files)	Property Tax Administrator	(916) 445-3332
Dept. Property Taxes Assessment Standards Div. 1020 N St., Sacto., CA 95814	5. Homeowner's Exemptions (3.9 million files)	Senior Property Auditor-Appraisor	(916) 445-4982
Dept. of Property Taxes 1020 N St., Sacto., CA 95814	6. Timber Tax Files (5,000 files)	Div. Chief - Timber Tax Div.	(916) 445-6964
Dept. of Business Taxes 1020 N St., Sacto., CA 95814	7. Sales & Excise Tax Files (350,000 files)	Asst. Executive Secty. Dept. Bus. Taxes, Operations Section & Excise Taxes Unit	(916) 445-4272
Fish & Game, Dept. of			
Planning Branch 350 Golden Shore Long Beach, CA 90802	1. Commercial Fish Catch Data (7,000 Boats, 12,000 Fishermen, 1,030 Processors)	Supervisor, Data Processing Section	(213) 590-5141
Food & Agriculture, Dept. of			
Pest Mgt., Environmental Protection & Worker Safety 1220 N St., Sacto., CA 95814 Rm. A-170	1. Agricultural Examination Scoring Keys (33,138 files)	Senior Pesticide Use Specialist Pest Control Licensing	(916) 322-4647
Marketing Services, Bur. of Milk Pooling 1220 N St., Rm. A-230 Sacto., CA 95814	2. Audit Files (10,000 files)	Bureau Chief, Bureau of Milk Pooling	(916) 445-2060
"	3. Audit Continuing Care Files Handlers (10,000 files)	"	"

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Marketing Services, Bur. of Milk Pooling 1220 N St., Rm. A-230 Sacto., CA 95814	4. Milk Producer Historical File (10,000 files)	Bureau Chief, Bureau of Milk Pooling	(916) 445-2060
"	5. Milk Producer Shipment Reports & Generated Output (10,000 files)	"	"
Franchise Tax Board Compliance, Personal Income Tax Audit Sacto., CA 95867	1. Preliminary Audit Selection File (5 Million files)	Manager, Compliance Personal Income Tax Audit	(916) 355-0260
Operations, Taxpayer Services Bureau	2. Personal Income Tax Account Information Master (2,900,000 files)	Dir., Operations TSB	(916) 355-0370
Compliance, Collection Bureau	3. Collection File (350,000 files)	Director, Compliance	"
"	4. Liable Spouse (200,000 files)	"	"
Compliance - PIT Audit	5. Filing Enforcement Master Files (270,000 files)	Manager, Compliance - PIT Audit	(916) 355-0262
"	6. Income Source File (10 Million files)	"	"
Operations - Taxpayer Services Bureau	7. Internal Revenue Service Individual Master File (9 Million files)	Director, Operations Taxpayer Services Bureau	(916) 355-0370
"	8. Interagency Offsets (80,000 files)	"	"
"	9. Withholding Master File (10,560,000 files)	"	"

Operations - Taxpayer Services Bureau	10.	Withholding Return Master (10,500,000 files)	Director, Operations Taxpayer Services Bureau	(916) 355-0370
"	11.	Homeowner/Renter Assistance Master File (500,000 files)	"	"
"	12.	Homeowner/Renter Assistance Holding File (600 files)	"	"
Compliance - Political Reform Audit Bureau 1001 G St., Suite 200 Sacto., CA 95814	13.	Adopted Audit Reports (1,800 files)	Director PRAB	(916) 355-7094
"	14.	Political Reform Audit Master File (25,000 files)	Chief, Political Reform Audit	(916) 322-3208
Operations - Data Storage & Retrieval Services Bureau	15.	Accounting Records for IRS Information (400,000 files)	Director, Operations	(916) 366-5370
Data Processing, Information Service Bureau Personnel Management	16.	Automated EDP Training File (1,000 files)	Director, Data Processing	(916) 355-0583
Personnel Management	17.	Automated Leave Accounting Master (2,500 files)	Personnel Officer	(916) 355-0950
"	18.	Automated Temporary Employee Call Back File (1,100 files)	Dir., Personnel Mgt.	(916) 355-0695
Operations - Transcriptions	19.	Data Entry Operator Analysis (1,000 files)	Manager, Operations - Transcriptions	(916) 355-0252
Personnel Management	20.	Personnel Master (active 4,000, separated 4,400)	Personnel Officer	(916) 355-0695
Data Processing - Information Systems Bureau	21.	Time Reporting Master File (700 files)	Director, ISB	(916) 445-0638

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
General Services, Dept. of Calif. State Police Division 1025 P St., Sacto., CA 95814	1. Crime Incident Reports and Field Interview Cards (9,000 files)	Lieutenant, Headquarters	(916) 445-1150
Health Care Services, Dept. of			
Audits & Investigations Headquarters + 4 Dist. Offices 714 P St., Sacto., CA 95814	1. Investigation Case Files (25,000 files)	Chief, Investigations Branch	(916) 445-4386
"	2. Program Files/Medical Asst. Only (100,000 files)	Analyst - Audits & Investigations - MediCal Quality Control	(916) 322-1071
"	3. Program Files/Aid to Families with Dependent Children (100,000 files)	"	"
"	4. Program Filer/Supplemental Security Income-State Supplemental Program (100,000 files)	"	"
Adult Day Health Care Section 714 P St., Sacto., CA 95814	5. Beneficiary Files (800 files)	Chief, ADHCS	(916) 323-2258
Community Health Services Child Health and Disability Prevention Branch 1414 K St., Sacto., CA 95814	6. PM 160 Confidential Screening/Billing Report (820,000 files)	Chief, Child Health Information and Claiming Unit	(916) 322-3115
Health Care Policy and Standards Division	7. Long-term Care (LTC) Study Project - Patient Assessment Tool - DHS 7005 (2,000 files)	Benefits Analysis Section	(916) 445-1995
Medical Care Branch 714 P St., Sacto., CA 95814	8. Eligibility History File (5 million files)	Chief, Eligibility Branch	(916) 445-1797
"	9. MediCal Buy In File (512,000 files)	"	"

AGENCY - UNIT		RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Medical Care Branch 714 P St., Sacto., CA 95814	10.	CID System (3.5 million files)	Chief, Eligibility Branch	(916) 445-1797
Health Care Policy and Standards Div. 1027 10th St., Sacto. CA 95814	11.	Medical Records (300,000 files)	Chief, Benefits Review Unit	(916) 445-2136
Medical Recovery Branch 1250 Sutterville Rd., Rm. 209 Sacto., CA 95822	12.	Casualty Case Records, Accounts Receivable Records Computer Generated Reports (44,000 files)	Chief, Recovery Branch	(916) 322-0521
"	13.	Compliance Case Files (7,800 files)	Compliance Unit	(916) 322-2280
Recovery Section 77 Cadillac Drive Sacto., CA 95825	14.	Other Coverage (Health Insurance) File (140,000 files)	Chief, Recovery Section	(916) 322-4130
MediCal Division/Recovery Branch, 1025 P St. Sacto., CA 95814	15.	Medi-Cal/MediCare Files (838,000 files)	Secretary, Buy In Unit	(916) 445-0436
Medical Care Standards, Membership Studies 455 Capitol Mall, Suite 250 Sacto., CA 95814	16.	Membership Studies Research Data File (40,000 files)	Project Director, Demonstration & Eval. Section	(916) 322-4616
Environmental Health Div. 714 P St., Sacto., CA 95814	17.	Water Treatment Operator Certification Record (9,000 files)	Certification Administrator	(916) 323-6111
Environmental Health Div. Radiologic Health Branch 714 P St., Sacto., CA 95814	18.	Certification Records (35,000 files)	Chief, Radiologic Health Branch	(916) 445-0670
Environmental Health Div. Vector Biology and Control Branch	19.	Public Health Pest Control Certified Technician File (2,500 files)	Training & Certification Coordinator	(916) 445-0498

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AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Toxic Substances Control Div. Air and Industrial Hygiene Lab. 2151 Berkeley, Berkeley, CA 94704,	20. Blood Lead Data Bank (80,000 files)	Air Pollution Research Specialist, Childhood Lead Screening Program	(415) 540-2129
Toxic Substances Control Div. 2151 Berkeley Berkeley, CA 94704	21. Culver City Blood Level Study (200 files)	Epidemiologist, Epidemiology Studies Section	(415) 540-2907
Health Protection Div. 2151 Berkeley Way, Berkeley, CA 94704	22. Laboratory Personnel Licensing (35,000 files)	Chief, Laboratory Field Services	(415) 540-2488
Health Protection Div. Laboratory 2151 Berkeley Way Berkeley, CA 94704	23. Proficiency Testing (3,000 files)	"	"
"	24. Laboratory Examinations and Patients Records (100,000 files)	Chief, Microbial Diseases Laboratory	(415) 540-2242
"	25. Virus Laboratory Examinations and Patients Records (50,000 files)	Chief, Viral and Rickettsial Disease Laboratory	(415) 540-2573
Adult Health, 714 P St. Sacto., CA 95814	26. Hospice Project Data File (400 files)	Chief, Cancer Control	(916) 322-4787
Health Protection Div. Vital Statistics Branch 410 N St., Sacto, CA 95814	27. Marriage Dissolutions (1.7 million files)	State Registrar of Vital Statistics	(916) 445-2684
"	28. Fetal Deaths (122,000 files)	"	"
"	29. Births (13.5 million)	"	"
Rural Health Div. 714 P St., Sacto. CA95814	30. PM 160 Confidential Screening/ Billing Reports (5,800 files)	Chief, Child Health Information and Claiming Unit	(916) 322-4704

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Health & Welfare Agency Data Center 112 J St., Sacto., CA 95814	1. Affirmative Action files (no volume)	EE Consultant Administration	(916) 323-7734
"	2. Personnel Management Information System - Alpha Employee Listing File (212 files)	Personnel Assistant-Transactions	(916) 324-1248
Highway Patrol, Dept. of 2555 1st Aveane, Sacto. CA 95818	1. Personnel (8,550 files)	Various	(916) 445-1484
Horse Racing Board, Calif. 1010 Hurley Way, Rm. 101 Sacto., CA 95825	1. Personnel (29 files)	Chief Investigator	(916) 920-7168
Industrial Relations, Dept. of Office of the Director 455 Golden Gate Ave. San Francisco, CA 94101	1. Personnel Records (4,050 files)	Personnel Manager	(415) 557-0450
Div. of Apprenticeship Standards 455 Golden Gate Ave. San Francisco, CA 94102	2. Apprenticeship Agreement Trainee Agreement File (39,000 files)	Supervising Clerk, Apprenticeship Standards	(415) 557-1700
Div. of Labor Standards Enforcement	3. Licensing of Talent Agents and Farm Labor Contractors (2,000 annually)	Area Administrator, Special Programs Section	(415) 557-2347
Labor Statistics & Research	4. EDD Universe Files (400,000 files)	Research Manager	(415) 557-3317
"	5. Annual Occupational Injuries and Illnesses Survey Schedules (150,000 files)	"	"

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Insurance, Dept. of Commissioners Office 700 L St., Sacto., CA 95814	1. Insurance Fraud Information System (IFIS) (13,000 files)	Chief, Bureau of Fraudulent Claims	(916) 323-1363
Consumer Affairs Div. 600 Commonwealth Ave. Los Angeles, CA 90005	2. Policy Holder Complaints General Correspondence (36,000 files)	Chief, Policy Services Bureau	(213) 736-2582
"	3. Policy Holder Complaints (36,000 files)	"	"
Justice, Dept. of Various locations	1. Civil Case Files (30,000 files)	Various	
"	2. Public Rights Division Case Files (30,000 files)	"	
"	3. Criminal Docket Files (50,000 files)	"	
Law Enforcement Data Center 4949 Broadway Sacto., CA 95820	4. Automated Training Reporting System (2,000 files)	Training Coordinator Admin. Support Section	(916) 739-2175
Law Enforcement Div. 3301 C St. Sacto., CA 95813	5. Juvenile Probation Statistical System (1,800,000 files)	Chief, Bureau of Criminal Statistics & Special Services	(916) 323-7379
"	6. Offender-Based Correctional Activity (OBCA) (900,000 files)	"	"
"	7. Homicide Study (46,000 files)	"	"
"	8. Offender-Based Transaction Statistics (OBTS) System (1,106,072 files)	"	"
"	9. Monthly Arrest and Citation Register (13.5 million files)	"	"

ACENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Law Enforcement Div. 3301 C St. Sacto., CA 95813	10. Adult Probation Information System (1,058,000 files)	Chief, Bureau of Criminal Statistics & Special Services	(916) 323-7379
"	11. Automated Systems Program Firearms Alpha File (4 million files)	"	"
"	12. Statewide Pawn Index of Names (SPIN) File (1,400,000 files)	"	"
"	13. Wanted Persons System Automated File (186,000 files)	"	"
"	14. Command, Communications, and Compliance Program/ Registration (84,000 files)	"	"
Law Enforcement--Bureau of Narcotics Enforcement 3301 C St. Sacto., CA 95813	15. Triplicate Prescription System (500,000 files)	Chief, Bur. of Narcotics Enforcement	(916) 445-9544
Bur. of Organized Crime and Criminal Intelligence 3301 C St. Sacto., CA 95813	16. Criminal Intelligence Files (30,000 files)	Chief, Bur. of Organized Crime and Criminal Intelligence	(916) 322-2430
Lands Commission, State 1807 13th St. Sacto., CA 95814	1. Land Records (3,000 files)	Records Unit	(916) 445-9742
Personnel Services Section	2. Employee Personnel Files (260 files)	Personnel	(916) 322-7830
Maritime Academy, California P.O.Box 1392 Vallejo, CA 94590	1. Student Academic Records (2,500 files)	Registrar	

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Mental Health, Dept. of 1600 9th St. Sacto., CA 95814	1. Hospital Automation System (HAS) (1 million files)	Chief, System Development Section	(916) 323-8287
Motor Vehicles, Dept. of Div. of Drivers Licenses 2570 24th St. Sacto., CA 95818	1. Driver Record (16 million files)	Chief, Div. of Drivers Licenses	(916) 322-7259
Div. of Registration	2. Vehicle Registration Records (18,500,000 files)	Chief, Div. of Registration	(916) 445-5071
"	3. Non-Exempt (Undercover) Registration Records (11,000 files)	Registrar	(916) 445-4424
"	4. Dismantler Billing Records (810 files)	Chief, Div. of Reg.	"
"	5. Parking Violation Reports (no volume available)	"	"
"	6. Information Requests from Registration Records (16,000 files)	"	"
"	7. Requester Account Application Records (3,500 files)	"	"
Compliance Services 2570 24th St. Sacto., CA 95818	8. Occupational Licensing (300,000 files)	Sr. Special Investigator Occupational Licensing	(916) 445-4582
Parks and Recreation, Dept. of Administrative Services Div.	1. Employee Grievances (2,500 files)	Human Resources Section	(916) 445-7257
Peace Officer Standards & Training, Commission, Information Services Bureau 4949 Broadway, Bldg. E Sacto., CA 95820-145	1. Calif. Law Enforcement Agencies Employees Records (70,000 files)	Chief, Information Services Bureau	(916) 445-4515

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Personnel Administration, Dept. of Director's Office 1115 11th St. Sacto., CA 95814	1. Grievance/Appeals File (2,000 files)	Director	(916) 324-0489
Contract Administration 1115 11th St. Sacto., CA 95814	2. Grievance/Appeals Files (Rank & File Employees) (4,250 files)	Personnel Analyst Personnel Services Branch	(916) 324-0466
State Personnel Board 801 Capitol Mall Sacto., CA 95814 Selection Programs & Services Div.	1. Examination Applications SPSD (300,000 files)	Supervisor, Exam. Processing	(916) 323-6611
"	2. Certification Files (400,000 files)	"	"
Bilingual Services	3. Fluency Exams Results/ Bilingual Pay Files (250 files)	Analyst, Bilingual Services Unit	
Prison Terms, Board of 545 Downtown Plaza Sacto., CA 95814	1. Document Analysis/Coding Unit Files "6A" (30,000 files)	Executive Officer	(916) 445-4071
"	2. Sentence Review Files Disparate Cases "6B" (75 files)	"	"
Public Employees Retirement System Administration Div. 1416 9th St., Sacto., CA 95814	1. Health Plan Records (575,000 files)	Chief, Administration Div.	(916) 445-2214
Public Employment Relations Board	1. Personnel Records (100 files)	Personnel Oficer	(916) 322-3088
Public Utilities Commission 455 Golden Gate Ave., Rm. 2014 San Francisco, CA 94102	1. Personnel Employee Files (1,000 files)	Personnel Manager	(415) 557-1375

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Secretary of State Consolidated Services, Notary Public 111 Capitol Mall, Rm. 300 Sacto., CA 95814	1. Notary Public Application (22,000 files annually)	Chief of Consolidated Services	(916) 445-6101
Social Services, Dept. of Administration Div. 744 P St., Sacto., CA 95814	1. IHSS Recipient/Provider Master File (200,000 files)	Chief, IHSS System Mgt. Unit	(916) 323-0270
"	2. Foster Care Information System (FCIS) (60,000 files)	Chief, Statistical Services Branch	(916) 322-5462
Adoptions Branch	3. Adoption Resource Referral Center (ARRC) (522 files)	Chief, Adoptions Branch	(916) 445-9124
"	4. Aid for the Adoption of Children Caseload File (7,000 files)	"	"
"	5. Independent Adoption Case Records (650,000 files)	"	"
"	6. Inter Country Adoption Case Records (6,000 files)	"	"
"	7. Private Adoption Agency Reimbursement File (500 files)	Adoption Systems Bureau	(916) 322-4946
"	8. Relinquishment Adoption Case Records (650,000 files)	"	"
"	9. Stepparent Adoption File (70,000 files)	"	"
"	10. Foster Care Information System (FCIS) (52,000 files)	Family & Children Services Systems Bureau	(916) 323-2923

	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Disability Evaluation Div. Sacto., Oakland, Los Angeles	11. Automated Case Control Information (211,000 files)	Chief, Disability Evaluation Div.	
Planning & Review 744 P St. Sacto., CA 95814	12. Food Stamp -- Quality Control File (3,100 files)	Chief, Quality Control Bur.	
"	13. Public Assistance (Negative Action) Quality Control File (1,900 files)	"	
"	14. Public Assistance Quality Control (10,000 files)	"	
Audit & Review 1507 21st St. Sacto., CA 95816	15. Senate Bill 30 Case Review Documents (2,000 files)	Chief, Program Review Section	(916) 322-0118
"	16. Assembly Bill 35 Case Review Documents (1,000 files)	"	"
Welfare Programs Operations	17. Financial Accounting Exchange (F.A.X. File) (670,000 files)	Chief, Adult & Foster Care Programs Mgt. Branch	(916) 322-9199
"	18. State Data Exchange (SDX) Tape File (670,000 files)	"	(916) 322-9205
"	19. Delinquent Child Support Defendant File (300,000 files)	Chief, Child Support Program Mgt. Branch	(916) 322-8495
State Controller Div. of Unclaimed Property 1227 O St., Sacto., CA 95814	1. Unclaimed Property (700,000 files)	Chief, Div. of Unclaimed Property	(916) 445-8318
Personnel/Payroll Services Div. 1900 Capitol Ave., Rm. 100 Sacto., CA 95814	2. Employment History (200,000 files)	Chief, Personnel Services Section	(916) 322-8104
"	3. Payroll History (200,000 files)	"	

AGENCY - UNIT	RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Student Aid Commission, California 1410 5th St., Sacto., CA 95814	1. Common Applicant File (300,000 files per academic year)	Program Mgr., Cal Grant A Program	(916) 322-2290
"	2. Cal Grant A Master File (180,000 per academic yr.)	"	"
"	3. Cal Grant B Master File (20,000 per academic yr.)	Program Mgr., Cal Grant B Program	(916) 322-2800
"	4. Cal Grant C Master Files (2,300 per academic yr.)	Program Mgr., Cal Grant C Program	(916) 322-2805
"	5. Bilingual Teacher Grant Files (3,800 per academic yr.)	Program Supervisor Bilingual Teacher Grant Program	(916) 322-2807
"	6. Graduate Fellowship Files (7,000 per academic yr.)	Program Supervisor Graduate Fellowship Program	(916) 322-2803
"	7. Cal Guaranteed Student Loan Program Borrower Files (500,000 files)	Manager, Cal. Guaranteed Student Loan Program	
Teachers Retirement System, State 1010 Hurley Way P.O.Box 15275-C Sacto., CA 95813	1. Active Master File (450,000 files)	Management Services, Administrative Services	(916) 920-7096
"	2. Benefit Master File (74,500 files)	"	"
Transportation, Dept. of 1120 N St., Sacto., CA 95814 Administrative Services	1. Employee Accident Records Departmental (15,335 files)	Dept. Safety Officer	(916)445-8350
"	2. Examination Materials (Confidential) (15,000 files)	Personnel	(916) 445-5099
"	3. General Personnel Records (18,000 files)	Dept. Personnel Officer	(916) 445-6636

AGENCY - UNIT		RECORD TITLE	RESPONSIBLE OFFICE	TELEPHONE
Various Addresses	4.	Attendance Reports & Related Documents (18,000 files)	District Personnel Officers	
	5.	Positive Action Investigation Files (300 files)	Dept. Personnel Officer	(916) 445-6636
Administrative Services	6.	Ethnic & Sex Census (18,000 files)	Chief, Affirmative Action Branch	(916) 322-9885
Water Resources Control Board Office of Public Affairs 2125 19th St., Rm. 2038 Sacto., CA 15818	1.	Computer Mailing List (9,000 files)	Assistant to the Board--Public Affairs	(916) 322-8353
Youth Authority, Dept. of Various Addresses	1.	Security Files - Ward (12,100 files)	Superintendent, Institution	
Administrative Services 4241 Williamsburg Sacto., CA 95823	2.	Offender Based Information Tracking System (OBITS) - Ward (12,100 files)	Chief, Data Processing Management Services Branch	(916) 322-7652

Computer Matching

According to the U.S. Department of Labor report, California conducts the following matches: Recipients of unemployment benefits with lists of employees reported quarterly by employers. Unemployment recipients with comparable lists in neighboring states. Unemployment recipients with dead persons listed in the Department of Health Services vital statistics. Employers paying unemployment taxes against a profile of fictitious companies. Welfare recipients (by Social Security number) with names of persons receiving wages, as listed in employers' quarterly wage reports (to detect those earning over an allowable limit). Welfare recipients with wage earners in neighboring Nevada. Food stamp recipients and wage earners as listed on quarterly reports. Social Security numbers of absent parents (not providing child support) with unemployment insurance lists and quarterly wage report lists, to locate the absent parents. Recipients of unemployment benefits with recipients of state disability insurance (the first group may receive benefits only if they are able to work; the latter only if they are unable to work). Client files for various federal and state agencies are regularly compared with earnings data from quarterly wage reports and with lists of unemployment benefits payees. C-12)

Under a pilot program, lists of Supplemental Security Income (administered by the Social Security Administration) recipients are compared with the lists of interest paid to individuals (as submitted to the state Franchise Tax Board by financial institutions). This detects interest income not reported by SSI applicants and recipients. The same data base of interest income is used to match public assistance recipients in the state's 58 counties that have computer capability. C-13)

Once a year, persons with Aid to Dependent Children (AFDC) delinquencies or those owing the food stamp program because of discovered fraud are matched with persons scheduled to receive a refund for California state income taxes. The refund checks are intercepted. This "Project Intercept" was originated in California and has been copied by several other states now. C-14)

Also, AFDC rolls are matched with unemployment insurance benefits files and with disability benefits files. C-15)

Upon intake, an AFDC applicant's name is matched with county tax assessor files to determine whether the applicant owns real property over an allowable limit. This match is on-line. C-16

The Department of Employment Development runs lists of persons owing money to the unemployment compensation program against lists of persons to receive tax refunds from the Franchise Tax Board. This is another form of "Project Intercept." C-17

Lists of California homeowners are made available by the Board of Equalization to the Oregon Department of Justice to run a match with their lists of persons delinquent in paying child support. C-18

Florida Pop. 9.75 million, ranks 7th

No Fair Information Practices Act
(Public Records Law, Ch. 119, Fla. Stats, 1981)

Privacy Protection

Florida has a strong "open government" tradition. It is the state where the "government in the sunshine" concept took root.

A constitutional amendment protecting the right of privacy was defeated in 1978 because voters were persuaded that it might be used to shield governmental activities. When the language of the amendment was altered two years later to make clear that privacy and government-in-the-sunshine could be compatible, the amendment was approved. As approved in the election of 1980, Article I, Section 23 now reads: "Every natural person has the right to be let alone and free from governmental intrusion into his private life except as otherwise provided herein. This section shall not be contsrued to limit the public's right of access to public records and meetings as provided by law." F-1)

Superimposed on this respect for open access to the public's business and the public's records has been a grasping in Florida for appropriate safeguards on personal information in the increasingly high-tech data banks of state agencies. Florida is a state without a Fair Information Practices Act, although it has a set of progressive laws protecting privacy in specific areas, mostly in the private sector.

The state open records law grants to the public the right to inspect and copy the records of a public agency (or even the records of private entities when they act on behalf of public agencies). An individual seeking access need not demonstrate any special need nor any reason. Only records specifically F-2) exempted by statute need not be disclosed.

In 1979 the state Supreme Court reemphasized that only the Legislature, and not even the court, could create exemptions. "There are, however, literally F-3) hundreds of exemptions from the Public Records Law," according to Joslyn Wilson, head of the opinions section in the attorney general's office. The open records F-4) law, of course, may permit individuals to see information about themselves (in the absence of one of the "hundreds" of exemptions) but it does not provide a right to challenge the information nor, especially, to limit the disclosure of that information to others. In fact, the open records law tends to widen the disclosure of personal information to third parties. In 1980 the Florida Supreme Court specifically rejected any claim of a constitutional right to F-5) privacy that would prohibit the release of government records. "Subsequent Florida cases have relied on this decision to conclude that all documents falling within the scope of the public records law are subject to disclosure unless specifically exempted by the Legislature, and a court (or a public agency) is not free to consider public policy questions regarding the relative significance of the public's interest in disclosure and the damage to an individual or institution resulting from such disclosure," according to Ms. Wilson. In August 1984, the state Supreme Court reiterated this view, even F-6) though the records being disclosed in the case were extremely sensitive -- the files of a public housing authority said to include notations about F-7) tenants' earnings, illegitimacy, and health. There is still no exemption to the rule of open access unless the Legislature creates it, said the Court. (Still, the U.S. Court of Appeals for the Fifth Circuit has made clear that the Florida legislature cannot authorize by statute an unconstitutional invasion of personal privacy if one were found to have occurred.) "The attor- F-8) ney general's office and the courts of this state have stated that the privacy amendment does not constrain public access to information in the public domain pursuant to the Public Records Law or the Sunshine Law [open meetings]," according to Ms. Wilson. "While the privacy amendment may constrain or restrict the collection of information about individuals by the government to that which is necessary to carry out its functions, the amendments should not limit public access to information properly collected." F-9)

The opinions sections rarely is asked about individual's access to their own records and rarer still is asked about an individual wanting to correct or amend a record. The emphasis is on public access to information, in the Open Government Laws Manual, which categorizes Attorney General's Opinions. F-10)

Florida has an interesting, and progressive, collection of privacy-protection laws in specific sectors. In 1974 the Legislature enacted a law allowing an individual to petition a court for expunction of the public part of an arrest record on the first offense, if there was no finding of guilt. Dade County is the only locality in the nation with its own fair credit reporting act. By state law, providers of electronic banking systems may not use a person's Social Security number as an identifier. Financial institutions must also have policies protecting against "wrongful or accidental disclosures of confidential information" in electronic funds transfer systems. Florida's 1978 law on computer crime, which punishes offenses committed through the use of a computer, is regarded as among the best among the 25 state laws in the nation. Florida is one of the very few states permitting a patient to have access to his or her own medical records. In 1978 Florida became one of seven states to prohibit telephone solicitations that make use of computerized dialing. And by law, state agencies must audit and purge their mailing lists biennially by giving subscribers to government publications an opportunity to continue or stop receiving the publications. The state has taken a small step in the direction F of fair information practices -- an opportunity to inspect and challenge information about oneself. A state law says no anonymous or derogatory information may be kept in files of public school employees, and they have a right of accessing and amplifying their own records, as well as a right of confidentiality, with F- certain exceptions.

It is against this legal background, then, that both legislators and administrators grapple with proliferating personal data banks in state and local government.

Data Collection

A major problem has been determining just what state agencies have on file. It wasn't until late in 1982 that the Legislature was able to determine what sort of data processing equipment was owned by state agencies. A special committee, the Joint Select Committee on Electronic Data Processing, developed an inventory of hardware after 12 months of surveys and site visits. "The logical next step is to find out what information is being stored in [the computers], how much of that data is being duplicated, and how much of it is really necessary. I think that's a primary goal," said a staff counsel with the House Committee on Governmental Operations in March 1983. The committee F-1 is trying to do this. The inventory still hasn't been completed.

F-1

Computer Matching

The Department of Labor report lists only two computer matches in Florida, neither one involving incompatible data bases. One compares unemployment claimants with names of persons who have been employed (and therefore entitled to a certain level of benefits), from quarterly wage reports supplied by employers. The other match compares unemployment claims with those filed in other jurisdictions. F-15)

There are no other reported matches in the state, according to the counsel of the House Committee on Governmental Operations and the staff director of the Joint Committee on Information Technology Resources. F-16

Concern in the legislature over the past five years has focused not on "computer matches," but on access by nongovernmental entitites to state computer-stored information. In March 1981 the Office of the State Senate President issued a 12-page report on the issue. The concern was generated then by the rental of mailing lists compiled by various state agencies. The study discovered two instances of direct, automated linkages between state data banks and the private sector. The Department of Health and Rehabilitative Services links with a private computer service firm to administer Medicaid claims, and the Department of Administration links with Blue Cross/ Blue Shield to administer the health insurance program for state employees. F-17) (In 1984 it took a constitutional amendment, because of an antiquity in the constitution, to authorize another linkage, for the state to make direct deposits of state employees' pay into the banks of their choice. An enabling amendment was approved by the voters in November 1984.) F-18)

The study found that the sale by state agencies of computer-generated mailing lists is "very common." The report said, "Agencies feel obligated to generate and provide these lists because of a duty they perceive arising out of...the Public Records Law. In some situations, agencies sell the lists with specific statutory authority. In others, there is none." Among the lists available are names, addresses, Social Security numbers, dates of birth and personal information on 60,000 retirees from government employment ($10.). Also, names, addresses, birthdates, pay classifications, and pay rates of all 105,000 current state employees. Also, names and addresses of vocational-education students (at $2 per thousand, it is suitable for the sellers of class rings) or lists of certified teachers in Florida, state university faculty and staff, or certified X-ray lab technicians in Florida. Labels with addresses of the thousands of professionals regulated by the Department of Health and Rehabilitative Services or with all of Florida's eight million licensed drivers are available for rental. The study found only two limitations on this rental business: State laws prohibit the use of lists of public-assistance recipients "for commercial purposes" and use of lists of voters for other than a political purpose. It is ironic that commerical uses of lists of welfare recipients are undoubtedly more benign than other uses -- publication in newspapers, harassment by anti-welfare organizations, "blacklisting" for employment, disqualification for housing, etc. F-

The House of Representatives President's report proposed legislation that would permit the release of state mailing lists of licensees, state employees, and others, but bar the private firms from using them for commercial purposes or for contacting the persons listed. The law was not approved. F- In most states, there is usually shock on the part of elected officials when they discover that lists from the department of motor vehicles and other agencies are available for rental, but then as they discover the significant amounts of revenue generated for the state by such rentals, the shock gives way to mild regulation of the process. F-

In 1982 the Fourth District Court of Appeal of Florida ruled that a state agency, under the Public Records Act, had no obligation to provide computer-generated materials in a format preferred by the person or organization making a request, even if the requester offered to pay the costs. The court said, "Access to computerized records shall be given through the use of programs currently in use by the public official responsible for maintaining the public records. Access by the use of a specially designed program prepared by or at the expense of the applicant may obviously be permitted in the discretion of the public official [but is not mandatory]." F-

In 1983 officials in Lee County asked for an Attorney General's Opinion on whether a county can charge for specialized computer access to public records where there remains an alternative access available without charge and whether it is a legitimate use of public funds to create specially programmed data bases for the private sector. The county was considering a computer system that would allow access to a variety of data files on a subscription basis. The possible invasions of privacy were not at issue, only the matters of public expenditures and open access. The Attorney General ruled in January 1984 that in the absence of enabling legislation, a governmental agency may not provide specialized computer access at public expense. Several localities immediately sought enabling F-23) legislation, causing the Joint Committee on Information Technology Resources to conduct a study on outside computer access to government records.

The committee was surprised to discover that automated access to government data is common practice in localities throughout the state. The debates about the practice involve technical obstacles, not implications for public policy. Most of this, but not all, involves non-personal information. After holding hearings in three cities in the fall of 1984 and surveying localities and state agencies, the committee in its final report recommended that localities be encouraged to provide such automated access at cost. Some committee members F-24) and its staff member, Edwin A. Levine, came out of the experience persuaded that there is a need for a fair information practices law in Florida.

In 1983, when he was policy coordinator for systems design and development in the office of the governor, Levine expressed another concern. "Those of us who are professionally involved with the management of large automated systems are faced with a tide of TRS 80s and Apple computers and users who are suggesting to us that 'We need microcomputers.' It is very clear that as we take [away] the central control of this incredible resource which we call data processing -- as we break it off from the bureaucracy and we spread it out -- that there are some negative implications. One is the creation of private data bases. We must recognize that the existence of microcomputers in our large organizations presents an opportunity for people to maintain both private data bases and private processing programs." F-25)

Levine went on to say that while the constitution guaranteed a right to privacy, "our citizens expect from us a level of efficiency in government, particularly given the kinds of recessionary situations we've had in Florida with a shortfall in revenue. This is a legitimate demand for efficiency." F-26)

The conflict between efficiency and expectations of confidentiality -- there is no better example of that than the Department of Health and Rehabilitative Services. Since the beginning of the decade, the Department has been obligated by law to implement a program to integrate automated systems necessary to administer the department and its programs properly. To comply with this mandate, the department has sought to develop a client information system. This would include name, address, identifier, and type of service on more than 3.5 million clients statewide. That's more than one-third of the state's population. (A National Recipient Index proposed by the Department of Health and Human Services in Washington in 1981 would have had information on an estimated one out of three families in the U.S.) The Florida file would have about 1.2 active clients in it, including welfare recipients and clients getting youth and family services, aging and adult services, alcohol, drug abuse, mental health, and other services. The department announced that it planned to establish the integrated client data bank. "Needless to say there was a slight uproar and has been ever since then," said Charles Landreth, who was responsible for resolving the issue in Alcohol, Drug Abuse, and Mental Health Services. Six alternative plans were rejected by either administrators in the department or representatives of client groups. Landreth than proposed a plan for encoding and segregating data on different client categories so that identities would be protected and so that the department could also determine how many persons were receiving duplicate services.

Landreth described his alternative plan: "We would not enter the name, address, or Social Security number of the client, but we would use a unique identification system which would be built using 14 alphanumeric digits. The first four digits of the last name in reverse order, the middle initial, the birth date, and the first three digits of the first name. Furthermore, all clients of the department, even though their information would be put in a separate cell, would use this same unique identification system . Through this process, the computer could scan both cells and determine: 1) an unduplicated count, and 2) information that is critically important to the department in planning, managing, and budgeting. That is, which mental health client is also a client in the aging and adult services system, or in the children, youth and families system, or which alcohol, drug abuse, and mental health clients are also clients of economic services. Currently the department does not know... what clients are getting cross services." The department decided to go ahead with the plan but could not get funding for it. F-28

Now there are reports that the department would like to implement an Integrated Eligibility System (IES) like that used in Alaska's Department of Health and Human Services. The program, devised by a software company in Canada, permits on-line telcommunication links to sources of employment and earnings data on beneficiaries. The system would presumably link the welfare system with unemployment compensation and tax records. The department in Florida has spent nearly $100,000 studying the plan, which also has the interests of Southeast regional federal administrators of food stamp and similar entitlement programs. F-29

A 1981 listing of Florida state agencies sharing personal information with non-governmental entities follows: F-30

APPENDIX B

AGENCY	COMPUTER STORED DATA DIRECTLY SHARED WITH NON-STATE GOVERNMENTAL ENTITY			MAKES LISTS AVAILABLE			
	YES	NO	COMMENTS	YES	NO	FEE	COMMENTS
Department of Administration Division of Personnel	X		DOA provides Blue Cross/ Blue Shield with computer tapes. BCBS processes enrollments & claims for all state employees. Shared computer terminals in use.		X		
Department of Administration Division of Retirement		X		X		Less than $10	Can sell current micro-fiche and computer tape lists of names, addresses, social security numbers, dates of birth, and personal information concerning approximately 60,000 retired state and local employees.
Department of Agriculture		X			X		
Department of Banking & Finance Division of Accounting		X		X		At cost-about $100 per tape	Sells computer tape lists of names, addresses, birthdates, pay classifications, pay rates (and some SSAN's) of approximately 105,000 current state employees to labor unions, ins. companies, fund solicitors, health care providers. Available on tape, hard copy, gummed labels or micro-fiche.
Department of Banking & Finance Division of Securities		X		X		At cost	Sells hard copy lists of names, addresses and other information on securities dealers.
Department of Business Regulation Division of Alcoholic Beverage & Tobacco		X		X		At cost-about $300	Sells lists of names and addresses of all alcoholic beverage licensees, available also on gummed labels.

Department of Business Regulation Division of Hotels & Restaurants	X	X		At cost	Sells lists of names, addresses, size, and related information on hotels, motels and rooming houses.
Department of Business Regulation Division of Land Sales & Condominiums	X	X			Sells names, addresses and related information on each registered condominium.
Department of Citrus	X		X		
Department of Commerce	X		X		
Department of Community Affairs	X		X		
Department of Corrections	X		X		
Department of Education	X	X		$2 per 1,000	Sells lists of certified teachers. Sells lists of all vocational students for commercial purposes such as class ring sellers.
Department of Education Fla. Student Loan Guaranty Association	X	X		Free	Gives a monthly computer run on the status of all student loans to every requesting lender in Florida - includes name, address and current status of student's account.

Department of Environmental Regulation		X			X		
Florida Game & Fish Commission		X			X		
Department of General Services		X			X		
Department of Health & Rehabilitative Services	X		Direct interface with SDC Integrated Services, HRS' fiscal agent for Medicaid claims payments	X			1) Sells print-outs of names, addresses and information on departmental licensees such as EMT's, X-ray machine owners, laboratory personnel, X-ray technologists. 2) Sells/provides computer tapes of employee information to several private companies who use information to administer authorized employee deductions. 3) Sells computer tapes to a private company in Orlando who converts information to gummed labels for sale to trade groups, etc.
Department of Highway Safety & Motor Vehicles		X		X		2.5¢ an item	Sells 2 types of lists: 1) vehicle information on 14 million; contains owner info, make, model, address, title # and ID #. R. L. Polk is big customer - spends $100,000/yr on over 100 lists/yr. About 40 additional requestors/yr. Available on tape or printed.
						2,000/cy	2) Driver's license lists - 8 million licensees, about 10 requests per year. Contains name, address, and D.O.B. By rule, department doesn't give race/sex info.
Department of Labor and Employment Security		X			X		

Department of Law Enforcement		X		X		$2 each	Public has access to 1,200,000 criminal files; anyone can get a rap sheet for $2.00.
Department of Legal Affairs		X			X		
Department of Military Affairs		X			X		
Department of Natural Resources Division of Law Enforcement		X		X		$750	Sells or rents computer tape or hard copy lists of owners, addresses, registration number (statewide or by county) of all 500,000 registered boats, commercial or pleasure. Sells about 12 copies per year primarily to yacht brokers or advertisers.
Parole & Probation Commission		X			X		
Department of Professional Regulation		X		X		Gummed labels 2¢ name Printed list $5.08 /M names	Sells printed lists, gummed labels, or computer tape lists of names and addresses of all the Dept.'s 706,000 registrants. One routine purchaser is a computer billing service in Orlando that converts the list into monthly mailing lists for a large trade assoc.
Public Service Commission		X			X		Since deregulation, no longer sells lists of names and addresses of 25,000 motor carriers registered or certified by PSC.
Department of Revenue	X		Sells/gives/trades tape discs containing statewide ad valorem tax parcel info to REDI Corp. and others for commercial purposes	X			Up until June, 1980, sold a monthly list of 550,000 retailers/sales tax collectors. Available on computer tape/ Now prohibited by Ch. 80-222, Laws of Florida.

Secretary of State	X	X	Notaries: $60 per year Corp.: $150 flat	Names and addresses and expiration date of all notaries; names, addresses of all corporate officers available on microfiche or hard copy print-outs.
Department of Transportation	X	X	About $10	Sells a list of DOT employees' names to insurance companies who have been authoized by Department to solicit employees for insurance.
State University System	X	X	About 5¢/ name About $1,000/ list	In addition to the student/faculty directories printed at each university, the SUS sells each year about 10 computer-generated and printed lists of all (systemwide, approx. 20,000) faculty and staff names by dept. and university; available on gummed labels.

Indiana Pop. 5.49 million, ranks 12th

Fair Information Practices Act, IC 4-1-6-1
Access to Public Records, IC 5-14-3-1

Ed Howell, Director
Commission on Public Records
317/232-3373

Privacy Protection

Indiana approached privacy protection in an extremely cautious and methodical way -- more so than any other state. And just as cautiously and methodically it has backed away from privacy protection. After amendments that were made effective in January 1984, what is left in Indiana is a right of citizens to see their own files, but no recourse within the state government if their requests are denied; no real obligation for a state agency to publish notices of systems of records; and virtually no restrictions on the exchange of personal information among agencies of state government.

The story begins with the appointment of a prestigious Governor's Commission on Individual Privacy in April 1975, three months before the appointment of a federal Privacy Protection Study Commission. The Indiana commission was evidence that concern about Social Security numbers, computer data banks, disclosure of tax information, and especially disclosure of motor vehicle records had affected a midwestern conservative population. Only Massachusetts and Virginia, at that time, had taken such an in-depth look at state data files and their effect on privacy. Indiana was the first jurisdiction to assign the task to an independent study commission. The chair was William D. Ruckelshaus, former assistant attorney general and later Environmental Protection Agency administrator. Serving with him were Henry B. Schacht, president of Cummins Engine Co. of Columbus, whose company developed one of the most progressive privacy programs among U.S. corporate employers, and David T. Link, Dean of Notre Dame Law School and a preeminent authority on law and automation. There were also representatives of labor, the press, law enforcement, medicine, and finance. I-1)

At the end of 1976 the commission submitted an 89-page final report to Governor Otis R. Bowen, M.D. Among other things, the report provided the most complete inventory to date of a state's data banks. I-2)

The commission expressed special concern about criminal justice records. It said, "Present Indiana statutes establish few requirements for and place few restrictions on law enforcement collection, use and dissemination of information other than information concerning juvenile offenders." The commission recommended strict adherence to federal regulations on updating and disseminating information in automated criminal justice systems;

a requirement that dispositions of an arrest always be included with the record; and that state law guarantee a right to see and challenge one's own criminal record. Also, information on convictions, once updated and checked for accuracy, should be available to the public. If outside organizations see arrest data they should keep it confidential. Individuals with no prior record should have arrest information including fingerprints and photographs returned to them. The law should set standards for intelligence gathering, and present laws keeping juvenile records confidential should be maintained. I-3)

In its 1977 session, the state legislature enacted a lot of the commission's package, including the nation's seventh fair information practices act covering state records. Indiana chose to exempt police, public instruction, secretary of state, state treasurer, auditor of state, attorney general, and institutions of higher education. The law applied the principles of the U.S. Department of Health, Education, and Welfare report. The legislature borrowed one provision from Minnesota, which had amended its law in 1975 to categorize personal information as public, private, and confidential. (The author of Minnesota's amendments had testified before the Indiana commission.) Indiana decided to classify information as 1) private, the disclosure of which would offend the average person; 2) confidential, as defined by statute or regulation; 3) restricted, or private information that could be disclosed to a limited extent either because the individual had so consented or the agency had found a compelling public interest to do so; and 4) unrestricted, personal information that is neither confidential nor restricted. Thus, it was important to state agencies which information was designated as confidential by law, and contrary to Minnesota's situation, there was no authority in Indiana for the executive branch to make such designations. In addition, the Fair Information Practices Act required state agencies to make annual reports on their new or expanded systems of records. These would be submitted to a newly created Commission on Public Records. I-4)

Effective July 1, 1977, each agency was to review its inventory and recommend to the governor which records should be designated confidential. The governor would then submit his recommendations to the General Assembly.

After July 1, 1978, any records not designated otherwise would be regarded as public.

Another law placed restrictions on Social Security number use by state agencies, except for Revenue, Welfare, Employment, and State Personnel -- the main users. Another banned the sale or rental of motor vehicle lists for I-5
commercial purposes, although individual records would be available for $1. I-6
Lists could still be used for recalls or for research. Another new law permitted police intelligence information to be gathered only "if grounds exist" connecting an individual to criminal activity. Information about First I-7
Amendment activities could not be collected, and intelligence information had to stay within the criminal justice community. Another law enacted gave arrested persons a right to regain fingerprints and mug shots and a copy of the record if charges were dropped. Such an arrest could not then be submitted to a central repository, but the original police blotter entry would I-8
remain.

The Commission on Public Records was never very active in coordinating privacy protection. Its main function has been management of records and paperwork. Of 35 persons on the staff in 1984, only one devotes time to the Fair Information Practices Act. She is Allison Queener, a record analyst, who spends part of her time on privacy matters. She joined the staff in July 1982. I-9

There have been fewer than a half dozen notices of systems of records submitted to the office, and that part of "the old fair information practices act" is not enforced, according to Ms. Queener. She has attempted to maintain a master list of records systems but says it is of "dubious validity" now. I-10)

"Each agency is on its own," she says. "Each agency decides whether its records are open." If there are problems, the agency relies on an opinion from the attorney general. The Office of the Attorney General has no I-11)
specialist in this area and has issued only a few opinions. One opinion issued in 1983 perhaps makes the point. The Attorney General ruled that the state student assistance commission had to allow the public to inspect information about persons who had defaulted on guaranteed student loans, unless it could get the legislature to declare the information confidential or

declare the information the sort that gives the head of the agency discretion on disclosure. I-12)

Prior to changes in the law in 1983, the Commission on Public Records had authority to issue advisory opinions, but issued only a few. Now it has no such authority. I-13)

The operative statute on personal records now is a chapter in the Indiana code on Access to Public Records (5-14-3-1) passed in 1983, not the Fair Information Practices Act (4-1-6-1). In the event that a person is unable to inspect records, the recourse under the 1983 law is not to the commission but to the circuit court or superior court of the county where the denial takes place. The burden of proof is on the agency to sustain its denial, even though the aggrieved citizen brings the action. The 1983 amendments also repealed the private, restricted, and unrestricted classifications, and left only confidential.

It appears from the 1983 law that an individual has access to a record about himself or herself only to the same extent that a member of the public has access to the record (with the exception of personnel files of state employees). Ms. Queener disputes this assertion, however, by saying, "Taken by itself IC 5-14-3 does imply this result. Read in conjunction with IC 4-1-6, however, it is clear that an individual's right to see his own records is broader than some other person's ability to see those files. According to IC 4-1-6-3, a data subject may see any file maintained about him, confidential or public, except medical or psychological records. Any other person, however, could view only the public records concerning the data subject. The right of the data subject is therefore broader than another individual seeking the same information. Under section five, the data subject has further rights in the ability to challenge inaccurate information." I-14)

The 1983 law also validated by statute various agency declarations of confidential information "even if the rule was promulgated without specific statutory authority." It further declared a list of agency regulations on confidentiality unenforceable.

The changes stemmed from an interim legislature study commission that considered changes in the summer of 1983. It met again in 1984 and may continue to meet regularly to alter records-management legislation. At its 1984 summer meeting, the commission recommended changes in the law to keep confidential the following: records declared confidential in the judicial branch; informants to the Bureau of Motor Vehicles; persons attending university conferences; and public employment applications. The commission drafted a bill to effect this and other changes in the 1985 legislative session. I-1

Ms. Queener used to handle from 10 to 20 inquiries a month from the public and state agencies. She would describe the legal requirements and if the caller had already experienced difficulty, the call would be referred to the Attorney General's office for an opinion. (Often the Attorney General's office would call back to the Commission on Public Records for guidance.) She now receives fewer than six inquiries a month. I-1

Data Collection

The 1976 privacy commission report provides a detailed inventory of personal data banks and their contents. According to the commission, half I-1
of the state's 108 agencies reported keeping data on individuals, and those 54 agencies reported a total of 199 different data files, with information on 82 million named individuals. Of the 54, seven had files only on their own employees. Twenty-nine had files on licensees (beauticians, pharmacists, engineers, doctors, TV and radio stations, dentists, auctioneers, funeral directors, optometrists, etc.) The largest repository of personal information in state government was on licensees -- the 45 million files of the Bureau of Motor Vehicles.

That leaves three law enforcement agencies (the Law Enforcement Training Academy with records on students and staff; Corrections; and the State Police, which keeps information on crimes, arrests, charges, sentencing, wanted persons, stolen property, and computerized criminal histories) and 15 other agencies: Civil Rights Commission (case files); Employment Security Division (1.3 million records on applicants and claimants, including work histories); State Board of Health (11 million files on communicable diseases, dental diseases, handicapped conditions, speech pathology, tuberculosis and chronic diseases, birth certificates, death certificates, adoption and paternity, marriage records, and blindness reports); Industrial Board (400,000 files on workplace accidents); Manpower Development (22,000 records on past and present participants); Medical Distribution Loan Funds (with less than 100 personal files); Department of Mental Health (87,000 records on mentally ill patients, as well as addicted persons and recipients of family social services); Department of Natural Resources (350,000 records, mostly on violators of park regulations); Department of Public Instruction (207,000 files involving special students, testing, and special programs); Department of Public Welfare (533,000 records on foreign adoptions, child abuse, crippled children, food-stamp and medicaid recipients, public-assistance recipients, and child welfare cases); Rehabilitation Services (105,000 files on clients including blind and disabled); Department of Revenue (13,785,000 tax files -- the second largest data bank in state government); State Scholarship Commission (55,000 records); Board of Tax Commissioners (70,000 files on real estate taxes); and Department of Veteran's Affairs (80,000 records on Vietnam bonuses).

About 60 of the systems were then automated, and about 94 used a I-18) person's Social Security number as an identifier. Age was collected in 137 instances, and marital status 63 times; employer 68 times; medical information in 50 different instances; and religious preferences in 12 instances. In 52 instances a system had its own unique numerical identifier. In all, this I-19) meant about 16 files for each living person in the state, as compared to an estimated 18 federal files for each person in the nation.

The complete inventory follows:

	1 SOURCE OF INFORMATION A. From individual person	1. By report forms or applications	2. Through interviews	3. Through surveys	4. Other	B. From another agency	C. From published source	D. From some other source	2 REQUIREMENT FOR SUPPLYING OF INFORMATION	A. Data required as a condition	B. Data supplied on a voluntary basis	C. Data required by law	D. Other	3 CLASSIFICATION OF INFORMATION FILES	A. Information is all confidential	B. Some is confidential Some is not confidential	C. Information is non confidential	D. Is information a public record?	1. YES	2. NO	E. Basis for classification	1. By state statute	2. By federal statute	3. By state regulations	4. By federal regulations	5. By discretion of officials	6. Other	4 AVAILABILITY OF INFORMATION TO OTHERS	A. Information is available to
Accountancy, Board of																													
Applications File		X						X				X				X			X			X		X					
Accounts, Board of																													
1008 (Exec. employees and salaries)						X						X					X		X			X							
Administration, Dept. of																													
State Personnel Division																													
Payroll Files		X													X					X		X							
Manning Tables		X													X					X		X							
Aeronautics Commission																													
Licensed Aircraft						X				X							X		X				X						
Aircraft Owners		X				X				X							X		X			X	X						
Alcoholic Beverage Commission																													
Permit Files		X								X		X					X		X										
Permit Violation Files		X	X			X					X	X					X		X										
Non Permit Violation Files		X	X			X					X	X					X		X										
Athletic Commission																													
Licenses (Boxers, Etc.)		X	X				X			X		X				X				X		X		X		X			
Show Papers		X					X			X		X				X				X		X		X		X			
Auctioneer Commission																													
Applications File		X			X					X		X					X		X			X							
Auditor of State																													
State Payroll File		X										X			X				X			X							
Manning Tables						X									X					X						X			
Barber Board																													
Barbers		X								X		X							X			X							
Apprentices		X								X		X							X			X							
Beauty Board																													
Shops		X								X	X	X					X		X			X		X					
Operator		X								X	X	X					X		X			X		X					
School		X								X	X	X					X		X			X		X					
Boilers & Pressure Vessel																													
Certificate File		X								X		X			X					X						X			
Civil Rights Commission																													
Case Control File		X	X	X		X	X				X	X				X			X			X	X	X	X				
Corrections Department																													
Inmate Files		X	X		X	X					X	X	X			X			X			X			X	X			
Correctional Info. System		X	X							X	X	X				X			X						X	X			
Corrections																													
Law Clemency Commission		X	X			X		X		X	X	X				X			X	X						X			
Dental Examiners																													
Card										X		X					X		X			X							
Folder		X								X		X				X													
Embalmers & Funeral Directors																													
License Files		X	X							X	X	X					X		X							X			
Emergency Medical Services																													
Technician Certification		X								X	X		X				X		X			X		X					
Employment Security Division																													
Employees		X	X							X	X	X				X			X			X		X					

	1. Other in state agencies	2. Out-of-state and federal agencies	3. Non governmental organizations	4. Individuals with a valid reason	5. Any others	6. For statistical purposes	7. For other purposes	5 IDENTIFICATION OF INDIVIDUAL RECORDS	C. How are the records identified?	1. By name	2. By Social Security number	3. By an agency case number	4. By some other means	5. Are application forms pre-numbered?	D. How are the records stored?	1. By data processing (computer)	2. Microfilm	3. Microfiche	4. Other micro-records	5. Manual (file cabinets)	6. Other	F. Do you collect for information:	1. Fingerprints?	2. Photographs?	3. Other distinguishing physical characteristics	4. Other	6 TYPE OF INFORMATION COLLECTED	1. Name	2. Social Security #	3. Driver's License #	4. Other unique identifier	5. Age	6. Birthplace	7. Birthplace of parents	8. Family history
Accountancy, Board of																																			
Applications File				X						X										X				X				X	X		X	X			
Accounts, Board of																																			
1008 (Exec. employees and salaries)	X	X	X	X						X			X							X								X							
Administration, Dept. of																																			
State Personnel Division																																			
Payroll Files	X			X						X	X					X		X		X								X	X			X			
Manning Tables	X		X	X							X	X				X				X								X	X		X				
Aeronautics Commission																																			
Licensed Aircraft	X	X	X	X						X		X				X												X							
Aircraft Owners	X	X	X	X						X		X		X		X				X								X			X				
Alcoholic Beverage Commission																																			
Permit Files	X	X	X	X		X				X		X				X		X										X				X			
Permit Violation Files	X	X	X	X		X				X		X								X								X				X			
Non Permit Violation Files	X	X		X		X				X		X								X								X				X			
Athletic Commission																																			
Licenses (Boxers, Etc.)	X			X						X										X				X				X	X			X	X		
Show Papers	X			X						X										X								X							
Auctioneer Commission																																			
Applications File				X						X										X				X				X	X			X	X		
Auditor of State																																			
State Payroll File	X			X		X				X	X	X				X		X										X	X			X			
Manning Tables	X					X					X	X				X												X	X			X			
Barber Board																																			
Barbers	X				X					X			X							X				X				X				X	X		
Apprentices	X				X					X			X							X				X				X				X	X		
Beauty Board																																			
Shops	X			X		X				X		X				X				X								X							
Operator	X	X		X		X				X		X				X	X							X				X				X	X		
School	X		X	X		X				X		X								X								X							
Boilers & Pressure Vessel																																			
Certificate File				X						X		X								X								X	X			X	X		
Civil Rights Commission																																			
Case Control File		X		X		X				X		X					X			X								X	X						
Corrections Department																																			
Inmate Files	X	X	X	X		X	X			X		X						X		X			X	X	X	X		X	X		X	X	X	X	X
Correctional Info. System	X	X	X	X		X				X		X				X												X	X			X	X		
Corrections																																			
Law Clemency Commission	X					X				X	X	X								X								X	X		X				
Dental Examiners																																			
Card	X	X				X				X										X				X								X			
Folder	X																			X				X	X							X	X		
Embalmers & Funeral Directors																																			
License Files	X	X		X		X				X										X				X				X	X			X			
Emergency Medical Services																																			
Technician Certification	X	X	X	X		X				X	X	X								X	X							X	X				X		
Employment Security Division																																			
Employees				X		X				X	X									X								X	X			X			

	9. Guardian or Foster Child info	10. Marital status	11. Next of kin	12. # of Children	13. Sibling info	14. Other vital records	15. Race	16. Ethnic group	17. Religious preference	18. Citizenship	19. National origin	20. Appearance	21. Physical characteristics	22. Physical disabilities	23. Addresses, current or past	24. Military Service	25. Veteran's Administration claim number	26. Membership in groups	27. Political affiliation	28. Tax information and history	29. Income: total and/or by sources	30. Real and/or personal property ownership	31. Assets and/or debts	32. Expenditures or credit rating	33. Checking and savings accounts	34. Home ownership	35. Public housing occupancy
Accountancy, Board of																											
Applications File															X												
Accounts, Board of																											
1008 (Gov. employees and salaries)															X												
Administration, Dept. of																											
State Personnel Division																											
Payroll Files		X													X						X						
Manning Tables							X								X						X						
Aeronautics Commission																											
Licensed Airmen															X												
Aircraft Owners															X							X					
Alcoholic Beverage Commission																											
Permit Files		X								X					X					X	X	X					
Permit Violation Files							X	X				X	X		X												
Non Permit Violation Files							X	X				X	X		X												
Athletic Commission																											
Licenses (Boxers, Etc.)	X	X								X		X			X												
Show Papers															X												
Auctioneers Commission																											
Applications File															X												
Auditor of State																											
State Payroll File		X													X					X							
Manning Tables							X																				
Barber Board																											
Barber										X					X												
Apprentice										X					X												
Beauty Board																											
Shop															X												
Operator										X					X												
School																					X	X	X	X	X	X	
Boiler & Pressure Vessel																											
Certificate File		X		X						X					X												
Civil Rights Commission																											
Case Control File		X					X	X	X	X	X			X	X						X				X		X
Corrections Department																											
Inmate Files	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X			X	X	X	X	X	X	X
Correctional Info. System		X					X	X	X	X	X																
Corrections																											
Gov. Clemency Commission															X												
Dental Examiners																											
Card																											
Folder													X														
Embalmers & Funeral Directors																											
License Files							X								X												
Emergency Medical Services																											
Technician Certification														X	X			X									
Employment Security Division																											
Employee		X	X	X			X			X			X	X	X	X											

	36. Mortgages and/or mortgage history	37. Condition of living quarters	38. Highest grade completed/degrees earned	39. Grade average or class standing	40. Knowledge of foreign language	41. Legal residence	42. Mailing address	43. Occupation, current and/or past	44. Occupational preferences	45. Employment status and history	46. Employer	47. Occupational licenses and certificates	48. Recommendations and references	49. Police records	50. Security reports	51. Other investigative reports	52. Imprisonment, records of civil/criminal court	53. Medical information and history	54. Dental information and history	55. Psychiatric information and history	56. Personality inventory	57. Alcoholism and drug addiction	58. Motor vehicle ownership	59. Other kind of ownership	60. Food purchases and consumption	61. Other	7.a Individual permitted to withhold information?	YES	NO	8.a Length of time information is kept?	1. less than 3 years	2. 3 to 5 years	3. 6 to 9 years	4. 10 years or more	5. Indefinitely		
Accountancy, Board of																																					
Applications File			X			X	X				X		X	X															X						X		
Accounts, Board of																																					
1008 (Gov. employees and salaries)																													X			X					
Administration, Dept. of																																					
State Personnel Division																																					
Payroll Files							X	X		X	X																										
Manning Tables								X		X	X																										
Aeronautics Commission																																					
Licensed Airmen						X	X					X																	X						X		
Aircraft Owners						X	X																	X					X						X		
Alcoholic Beverage Commission																																					
Permit Files						X					X	X		X			X												X						X		
Permit Violation Files						X				X		X		X		X	X												X						X		
Non Permit Violation Files						X						X		X		X	X												X						X		
Athletic Commission																																					
Licenses (Boxers, Etc.)						X	X	X			X							X											X					X			
Show Papers							X											X											X					X			
Auctioneers Commission																																					
Applications File							X	X				X		X			X											X							X		
Auditor of State																																					
State Payroll File						X	X																						X					X			
Manning Tables			X																										X					X			
Barber Board																																					
Barber			X	X			X	X	X	X	X							X								X			X						X		
Apprentice			X	X			X	X	X	X	X							X								X			X						X		
Beauty Board																																					
Shop							X																						X					X			
Operator			X	X		X	X																						X						X		
School	X					X	X	X					X																X					X			
Boiler & Pressure Vessel																																					
Certificate File			X				X	X		X	X	X																	X						X		
Civil Rights Commission																																					
Case Control File	X						X			X	X			X		X				X								X				X	X				
Corrections Department																																					
Inmate Files	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X							X		
Correctional Info. System																												X							X		
Corrections																																					
Gov. Clemency Commission						X	X	X					X	X			X	X		X								X				X					
Dental Examiners																																					
Card							X																						X						X		
Folder			X				X																						X						X		
Embalmers & Funeral Directors																																					
License Files			X			X	X	X		X	X																	X							X		
Emergency Medical Services																																					
Technician Certification							X	X			X						X									X			X						X		
Employment Security Division																																					
Employee			X			X	X	X		X	X	X	X													X		X							X		

	1 SOURCE OF INFORMATION A. From individual [illegible]	1. By report form, or application	2. Through interviews	3. Through surveys	4. Other	B. From another agency	C. From published source	D. From some other source	2 REQUIREMENT FOR SUPPLYING OF INFORMATION	A. Data required as a condition	B. Data obtained on a voluntary basis	C. Data required by law	D. Other	3 CLASSIFICATION OF INFORMATION FILES	A. Information is all confidential	B. Some is confidential Some is not confidential	C. Information is non confidential	D. Is information a public record?	1. YES	2. NO	E. Basis for classification	1. By state statute	2. By federal statute	3. By state regulations	4. By federal regulations	5. By discretion of official	6. Other	4 AVAILABILITY OF INFORMATION TO OTHERS	A. Information is available to	1. Other in-state agencies	2. Out of state and federal agencies	3. Non governmental organizations	4. Individuals with a valid reason	5. Any others	6. For statistical purposes	7. For other purposes	5 IDENTIFICATION OF INDIVIDUAL RECORDS	C. How are the records identified?	1. By name	2. By Social Security number	3. By an agency code number	4. By some other means	5. Are application forms pre numbered?	D. How are the records stored?	1. By data processing (computer)	2. Microfilm	3. Microfiche	4. Other micro records	5. Manual (file cabinets)	6. Other	F. Do you collect for information	1. Fingerprints?	2. Photographs?	3. Other distinguishing physical characteristics?	4. Other	6 TYPE OF INFORMATION COLLECTED	1. Name	2. Social Security #	3. Driver's License #	4. Other unique identifier	5. Age	6. Birthplace	7. Birthplaces of parents	8. Family history
Applicant		X	X							X	X	X				X				X		X	X	X	X						X		X		X				X	X		X			X				X			X					X	X			X			
Claimant		X	X							X	X	X			X					X		X	X	X	X						X		X		X				X	X		X	X		X				X								X	X		X	X			
Eng., Arch. & Land Surveyors																																																															
Application & Registration		X						X		X						X			X			X									X	X			X	X				X		X				X	X							X				X	X		X	X	X		
Ethics, Conflict of Interest																																																															
Statement of Economic Interest		X										X							X														X	X						X										X								X							
Field Examiners Retirement Fund																																																															
Active Members		X		X		X						X				X			X			X									X	X		X			X			X	X									X						X		X	X			X	X		
Retired Members		X		X		X						X				X			X			X									X	X		X			X			X	X									X						X		X	X			X	X		
Health, State Board of																																																															
Bureau of Laboratories																																																															
Lab Reports					X											X			X								X							X	X				X										X						X		X							
Communicable Disease Division																																																															
VD Reports		X				X		X				X	X		X					X				X						X	X			X	X				X			X				X			X								X				X			X
Case Reports		X					X	X				X	X		X					X				X						X	X			X	X				X			X				X			X								X				X			X
Typhoid Carrier Files		X										X	X		X					X				X							X				X				X			X							X								X				X			X
Selected Lab Reports		X						X			X		X		X					X				X						X	X			X					X			X							X								X				X			
VD Epidemiologic Report		X	X			X		X			X	X	X		X					X				X						X	X				X				X			X	X			X			X						X		X				X			X
Medical Correspondence			X			X		X					X			X				X				X										X								X							X								X							
Special Immunization Studies		X	X	X		X					X		X			X				X				X						X									X											X								X				X			
Consultant/Local Health Dept																																																															
Roster of Local Personnel		X									X						X		X											X	X	X	X						X											X								X	X						
Dairy Products Division																																																															
Grade A Dairy Farmers		X	X							X						X			X							X					X		X			X			X		X								X								X							
Handlers		X								X						X			X							X							X			X			X		X		X						X								X			X				
Milk Routes		X								X						X			X							X							X			X			X		X		X						X					✓	X		X							
Approved Graders		X								X						X			X							X							X						X		X		X						X					X	X		X				X			
Bulk Haulers		X								X						X			X							X					X		X			X			X		X		X						X					X	X		X				X			
Dental Health Division																																																															
Dental Disease				X													X		X											X	X	X	X		X				X											X					X			X				X			
Dentists						X				X							X		X			X								X	X	X	X		X				X											X								X				X			
Dental Hygiene						X				X							X		X			X								X	X	X	X		X				X											X								X							
Handicapped Division																																																															
Registry		X				X						X			X					X		X													X				X			X			X	X									X			X	X			X			
Hearing Aid Dealers																																																															
Applicants Exam File		X								X		X				X			X							X				X	X		X						X										X								X				X			
Registered Dealers			X			X		X			X	X				X			X							X				X	X	X	X	X					X										X								X							
Registered Students						X		X			X	X				X			X							X				X	X	X	X	X					X										X								X							
Expired File						X		X			X					X			X							X				X	X								X										X								X							
Industrial Hygiene																																																															
Blood Lead Analysis					X										X					X							X						X						X										X								X							
Retail & Manufactured Foods Division																																																															
Food Poisoning Occurrence			X								X					X				X						X				X	X		X		X							X							X								X				X			
Sanitarians Board																																																															
Application File		X								X		X			X					X						X										X			X											X				X								X	X		
Sanitary Engineering, Gen.																																																															
Septic Tank Cleaners		X								X							X		X							X				X	X	X	X		X				X						X				X								X							
Sanitary Eng., Water Supply																																																															

	9. Guardian or Foster Child info	10. Marital status	11. Next of kin	12. # of Children	13. Sibling info	14. Other vital records	15. Race	16. Ethnic group	17. Religious preference	18. Citizenship	19. National origin	20. Appearance	21. Physical characteristics	22. Physical disabilities	23. Addresses, current or past	24. Military Service	25. Veteran's Administration claim number	26. Membership in groups	27. Political affiliation	28. Tax information and history	29. Income, total and/or by sources	30. Real and/or personal property ownership	31. Assets and/or debts	32. Expenditures or credit rating	33. Checking and savings accounts	34. Home ownership	35. Public housing occupancy	36. Mortgages and/or mortgage history	37. Condition of living quarters	38. Highest grade completed/degrees earned	39. Grade average or class standing	40. Knowledge of foreign language	41. Legal residence	42. Mailing address	43. Occupation, current and/or past	44. Occupational preference	45. Employment status and history	46. Employer	47. Occupational licenses and certificates	48. Recommendations and references	49. Police records	50. Security reports	51. Other investigative reports	52. Involvement/records of civil/criminal court	53. Medical information and history	54. Dental information and history	55. Psychiatric information and history	56. Personality inventory	57. Alcoholism and drug addiction	58. Motor vehicle ownership	59. Other kind of ownership	60. Food purchases and consumption	61. Other	7.a Individual permitted to withhold information?	YES	NO	8.a Length of time information is kept?	1. less than 2 years	2. 3 to 5 years	3. 6 to 9 years	4. 10 years or more	5. Indefinitely
Applicant		X		X				X		X			X	X	X	X					X									X				X	X	X	X	X	X											X			X		X			X				
Claimant		X	X	X											X	X					X													X	X		X	X															X		X				X			
Eng., Arch. & Land Surveyors																																																													
Application & Registration															X															X				X			X			X			X													X					X
Ethics, Conflict of Interest																																																													
Statement of Economic Interest						X												X				X	X			X							X		X			X													X					X			X			
Field Examiners Retirement Fund																																																													
Active Members		X	X	X	X									X	X	X					X												X	X			X	X							X								X		X							X
Retired Members		X	X	X	X									X	X	X					X												X	X			X	X							X								X		X							X
Health, State Board of																																																													
Bureau of Laboratories																																																													
Lab Reports														X																														X										X				X			
Communicable Disease Division																																																													
VD Reports		X					X								X																			X											X										X			X				X
Case Reports		X					X								X														X					X											X							X	X		X							X
Typhoid Carrier Files		X					X								X														X					X			X	X							X										X						X	
Selected Lab Reports																																		X											X										X						X	
VD Epidemiologic Report		X					X	X			X	X	X	X	X																			X	X		X	X							X										X							X
Medical Correspondence																																													X										X				X			
Special Immunization Studies																																		X											X								X		X						X	
Consultant/Local Health Dept																																																													
Roster of Local Personnel															X																																								X				X			X
Dairy Products Division																																																													
Grade A Dairy Farmers															X																			X				X															X		X							X
Handlers															X							X												X																			X		X			X				
Milk Routes															X																			X																			X		X			X				
Approved Graders													X	X	X																			X	X			X															X		X			X				
Bulk Haulers													X	X	X																			X	X			X															X		X							
Dental Health Division																																																													
Dental Disease																																														X									X			X				
Dentists																																							X																X			X				
Dental Hygiene																																							X																X			X				
Handicapped Division																																																													
Registry		X		X			X							X	X						X									X															X		X		X				X		X							X
Hearing Aid Dealers																																																													
Applicants Exam File															X																			X										X									X			X						X
Registered Dealers															X																			X									X	X									X			X						X
Registered Students															X																			X									X	X									X			X						X
Expired File															X																			X									X													X						X
Industrial Hygiene																																																													
Blood Lead Analysis																																						X															X		X							X
Retail & Manufactured Foods Division																																																													
Food Poisoning Occurrence														X	X																			X											X							X			X							X
Sanitarians Board																																																													
Application File									X	X					X	X														X				X	X		X	X		X	X			X												X						X
Sanitary Engineering, Gen.																																																													
Septic Tank Cleaners															X																		X	X					X	X				X												X						X
Sanitary Eng., Water Supply																																																													

	1. SOURCE OF INFORMATION A. From individual person	1. By report forms or applications	2. Through interviews	3. Through surveys	4. Other	B. From another agency	C. From published source	D. From some other source	2. REQUIREMENT FOR SUPPLYING OF INFORMATION	A. Data required as a condition	B. Data supplied on a voluntary basis	C. Data required by law	D. Other	3. CLASSIFICATION OF INFORMATION FILES	A. Information is all confidential	B. Some is confidential Some is not confidential	C. Information is not confidential	D. Is information a public record?	1. YES	2. NO	E. Basis for classification	1. By state statute	2. By federal statute	3. By state regulations	4. By federal regulations	5. By discretion of official	6. Other	4. AVAILABILITY OF INFORMATION TO OTHERS	A. Information is available to	1. Other in-state agencies	2. Out of state and federal agencies	3. Non governmental organizations	4. Individuals with a valid reason	5. Any others	6. For statistical purposes	7. For other purposes	5. IDENTIFICATION OF INDIVIDUAL RECORDS	C. How are the records identified?	1. By name	2. By Social Security number	3. By an agency code number	4. By some other means	5. Are application forms pre-numbered?	D. How are the records stored?	1. By data processing (computer)	2. Microfilm	3. Microfiche	4. Other micro-records	5. Manual file cabinets	6. Other	F. Do you collect for information	1. Fingerprints?	2. Photographs?	3. Other distinguishing physical characteristics?	4. Other	5. TYPE OF INFORMATION COLLECTED	1. Name	2. Social Security #	3. Driver's License #	4. Other unique identifier	5. Age	6. Birthplace	7. Birthplace of parents	8. Family history
Water Works Operator Cert		X								X		X					X		X			X		X						X	X	X			X				X						X				X								X							
Speech Path. & Audiology																																																																
Applicant File		X			X			X		X		X				X										X							X						X										X								X	X			X			
Licensed File		X															X		X							X				X	X		X						X										X								X							
Board Approved Aide File		X						X		X		X					X		X							X				X			X						X			X							X								X							
TB & Chronic Disease Control																																																																
TB Morbidity (incidence)						X		X				X			X					X		X				X	X			X	X					X			X			X							X						X		X				X			
TB Deaths						X		X				X			X					X		X				X	X			X	X					X			X			X							X						X		X				X			
TB Prevalence						X		X				X			X					X		X				X	X			X	X					X			X			X							X						X		X				X			
Vital Records Division																																																																
Birth Certificates						X						X			X					X		X								X	X				X				X			X				X				X							X				X	X	X	
Delayed Birth Records		X										X			X					X		X								X	X								X			X				X				X							X				X	X	X	
Death & Stillborn Cert						X						X				X				X		X								X	X				X				X			X				X				X							X				X	X	X	
Paternity & Adoptions						X						X			X		X			X		X											X						X			X				X				X							X				X	X	X	
Marriage Records						X						X							X							X				X	X		X		X	X			X			X				X				X							X				X	X		
Blindness Reports												X			X					X		X								X									X			X				X				X							X				X	X		
Amendment to Birth Records		X										X			X					X		X											X						X			X				X				X							X				X	X	X	
Water Pollution Control																																																																
Waste Water Operator Cert		X	X	X	X					X		X				X			X			X		X							X		X		X				X	X	X		X		X				X					X			X	X			X			
Health Facility Administrators																																																																
License Files		X								X	X	X	X		X					X		X	X	X	X					X	X	X	X		X				X	X		X							X				X				X	X			X			
Industrial Board																																																																
Accident Records		X						X				X							X											X	X		X		X				X		X		X						X								X	X			X			
Claim Records		X			X			X											X											X	X		X		X				X		X		X						X								X							
Law Enforcement Academy																																																																
Employees		X	X								X				X					X						X							X						X	X									X				X				X	X	X		X	X	X	X
Students		X				X		X		X		X			X					X		X				X				X			X						X	X									X				X				X	X			X	X		
Library, Indiana State																																																																
Librarian Certification					X			X		X	X	X				X				X		X				X	X			X									X			X							X								X							
Librarian Cert. Applications		X								X	X	X					X		X			X				X				X									X										X								X							
Livestock Commission																																																																
Commission Dealers Lic																																																																
License File		X			X					X		X			X					X		X																				X							X								X							
Manpower Development																																																																
Participant File					X	X				X	X	X	X			X			X	X			X	X	X	X				X	X		X		X				X	X	X		X						X								X	X			X			
Medical Distribution Loan Fund																																																																
Loans		X						X		X	X	X			X					X		X									X				X				X	X	X								X								X	X			X	X		X
Medical Registration Board																																																																
Medical Licensing File		X	X		X	X		X		X	X	X				X	X		X			X		X						X	X	X	X		X				X		X					X			X				X	X	X		X			X	X	X		
Physical Therapy File		X	X		X	X		X		X	X	X				X	X		X			X		X						X	X	X	X		X				X		X					X			X				X	X	X		X			X	X	X		
Mental Health, Department of																																																																
Patient Statistics						X						X			X					X				X	X	X	X			X			X		X				X		X								X								X	X		X	X	X	X	
Patient Reimbursement		X	X			X	X	X		X	X	X			X					X						X				X	X				X	X			X	X					X		X		X								X	X		X	X	X		
Personnel						X						X			X				X			X	X	X	X	X	X			X					X	X			X			X							X								X			X				
Family Care						X				X			X		X					X				X		X	X			X					X				X			X							X								X				X			
Addiction Services																																																																
Mines, Bureau of																																																																
Applications Forms		X								X		X							X			X		X						X	X	X	X	X	X	X			X										X								X	X			X			

	9 Guardian or Foster Care info	10 Marital status	11 Year of birth	12 # of Children	13 Sibling info	14 Other vital records	15 Race	16 Ethnic group	17 Religious preference	18 Citizenship	19 National origin	20 Appearance	21 Physical characteristics	22 Physical disabilities	23 Addresses, current or past	24 Military Service	25 Veteran's Administration claim number	26 Membership in groups	27 Political affiliation	28 Tax information and history	29 Income, total and/or by sources
Water Works Operator Cert		/								/				X	X	X					
Speech Path. & Audiology																					
Applicant File										X											
Licensed File																					
Board Approved Aide File																					
TB & Chronic Disease Control																					
TB Morbidity (incidence)		X					X								X						
TB Deaths		X					X								X						
TB Prevalence		X					X								X						
Vital Records Division																					
Birth Certificates																					
Delayed Birth Records															X						
Death & Stillborn Cert		X	X				X			X					X	X					
Paternity & Adoption							X														
Marriage Records		X					X		X						X						
Blindness Reports															X						
Amendment to Birth Records																					
Water Pollution Control																					
Waste Water Operator Cert														X	X						
Health Facility Administrators																					
License Files		X								X				X	X	X					
Industrial Board																					
Accident Records	X	X	X	X	X	X								X	X						X
Claim Records	X	X	X	X	X	X								X	X						X
Law Enforcement Academy																					
Employees	X	X	X	X	X	X			X	X	X	X	X		X	X		X	X		X
Students		X	X	X								X	X	X	X	X					
Library, Indiana State																					
Librarian Certification															X						
Librarian Cert. Application															X						
Lieutenant Governor																					
Community Dealers Lic.																					
License File															X						X
Manpower Development																					
Participant File		X		X			X	X		X	X			X	X	X					X
Medical Distribution Loan Fund																					
Loans				X	X										X						X
Medical Registration Board																					
Medical Licensing File		X				X				X	X				X						
Physical Therapy File		X				X				X	X				X						
Mental Health, Department of																					
Patient Statistics		X					X	X	X	X	X				X	X					
Patient Reimbursement		X		X											X						X
Personnel																					
Family Care	X	X												X	X			X			
Addiction Services																					
Mines, Bureau of																					
Applications Exams										X					X						

	30 Real and/or personal property ownership	31 Assets and/or debts	32 Expenditures or credit rating	33 Checking and savings accounts	34 Home ownership	35 Public housing occupancy	36 Mortgages and/or mortgage history	37 Condition of living quarters	38 Highest grade completed/degrees earned	39 Grade average or class standing	40 Knowledge of foreign language	41 Legal residence	42 Mailing address	43 Occupation, current and/or past	44 Occupational preferences	45 Employment status and history	46 Employer	47 Occupational licenses and certificates	48 Recommendations and references	49 Police records	50 Security reports
Water Works Operator Cert									X			X	X	X		X	X	X	X		
Speech Path. & Audiology									X				X	X		X	X	X			
Applicant File													X					X			
Licensed File																	X				
Board Approved Aide File																					
TB & Chronic Disease Control																					
TB Morbidity (incidence)												X	X								
TB Deaths												X	X								
TB Prevalence												X	X								
Vital Records Division																					
Birth Certificates																					
Delayed Birth Records																					
Death & Stillborn Cert														X							
Paternity & Adoption																					
Marriage Records												X		X							
Blindness Reports																					
Amendment to Birth Records																					
Water Pollution Control																					
Waste Water Operator Cert													X	X	X	X	X	X			
Health Facility Administrators																					
License Files									X			X	X	X		X	X	X	X		
Industrial Board																					
Accident Records												X	X	X		X	X				
Claim Records												X	X	X		X	X				
Law Enforcement Academy																					
Employees	X	X	X	X	X		X		X	X	X	X	X	X		X	X	X	X	X	
Students									X	X		X	X				X				
Library, Indiana State																					
Librarian Certification									X			X	X			X	X	X			
Librarian Cert. Application									X			X	X			X	X	X			
Lieutenant Governor																					
Community Dealers Lic.																					
License File	X	X	X	X			X					X	X	X							
Manpower Development																					
Participant File									X			X	X	X	X	X	X	X			
Medical Distribution Loan Fund																					
Loans	X	X	X	X	X		X					X	X		X				X		
Medical Registration Board																					
Medical Licensing File									X			X	X	X				X	X		X
Physical Therapy File									X			X	X	X				X	X		X
Mental Health, Department of																					
Patient Statistics									X			X	X	X			X				
Patient Reimbursement	X	X		X	X		X					X	X	X		X	X				
Personnel														X		X	X				
Family Care								X	X			X	X	X		X	X				
Addiction Services																					
Mines, Bureau of																					
Applications Exams																	X	X			

	51 Other investigative reports	52 Imprisonment/records of civil/criminal court	53 Medical information and history	54 Dental information and history	55 Psychiatric information and history	56 Personality inventory	57 Alcoholism and drug addiction	58 Motor vehicle ownership	59 Other kind of ownership	60 Food purchases and consumption	61 Other	7.a Individual permitted to withhold information?	YES	NO	8.a Length of time information is kept?	1 less than 3 years	2 3 to 5 years	3 6 to 9 years	4 10 years or more	5 Indefinitely		
Water Works Operator Cert	X		X											X						X		
Speech Path. & Audiology		X									X			X						X		
Applicant File														X						X		
Licensed File														X						X		
Board Approved Aide File																						
TB & Chronic Disease Control																						
TB Morbidity (incidence)			X										X							X		
TB Deaths			X										X							X		
TB Prevalence			X										X							X		
Vital Records Division																						
Birth Certificates													X							X		
Delayed Birth Records													X							X		
Death & Stillborn Cert			X										X							X		
Paternity & Adoption													X							X		
Marriage Records													X							X		
Blindness Reports													X							X		
Amendment to Birth Records													X							X		
Water Pollution Control																						
Waste Water Operator Cert														X						X		
Health Facility Administrators																						
License Files	X		X											X						X		
Industrial Board																						
Accident Records	X		X	X	X									X					X			
Claim Records	X		X	X	X									X					X			
Law Enforcement Academy																						
Employees		X	X		X		X		X		X			X						X		
Students			X																	X		
Library, Indiana State																						
Librarian Certification														X					X			
Librarian Cert. Application														X						X		
Lieutenant Governor																						
Community Dealers Lic.																						
License File	X	X						X	X					X		X						
Manpower Development																						
Participant File		X												X			X					
Medical Distribution Loan Fund																						
Loans											X			X				X				
Medical Registration Board																						
Medical Licensing File	X	X			X		X							X						X		
Physical Therapy File	X	X			X		X							X						X		
Mental Health, Department of																						
Patient Statistics		X			X		X							X						X		
Patient Reimbursement									X					X						X		
Personnel														X						X		
Family Care			X		X	X	X							X						X		
Addiction Services														X						X		
Mines, Bureau of																						
Applications Exams														X						X		

	1. SOURCE OF INFORMATION A. From individual person	1. By report forms or applications	2. Through interviews	3. Through surveys	4. Other	B. From another agency	C. From published source	D. From some other source	2. REQUIREMENT FOR SUPPLYING OF INFORMATION	A. Data required as a condition	B. Data supplied on a voluntary basis	C. Data required by law	D. Other	3. CLASSIFICATION OF INFORMATION FILES	A. Information is all confidential	B. Some is confidential, some is not confidential	C. Information is non confidential	D. Is information a public record?	1. YES	2. NO	E. Basis for classification	1. By state statute	2. By federal statute	3. By state regulations	4. By federal regulations	5. By discretion of official	6. Other	4. AVAILABILITY OF INFORMATION TO OTHERS	A. Information is available to	1. Other in-state agencies	2. Out of state and federal agencies	3. Non governmental organizations	4. Individuals with a valid reason	5. Any others	6. For statistical purposes	7. For other purposes	5. IDENTIFICATION OF INDIVIDUAL RECORDS	C. How are the records identified?	1. By name	2. By Social Security number	3. By an agency case number	4. By some other means	5. Are application forms pre-numbered?	D. How are the records stored?	1. By data processing (computer)	2. Magnetism	3. Microfiche	4. Other micro records	5. Manual (file cabinets)	6. Other	F. Do you collect for identification	1. Fingerprints?	2. Photographs?	3. Other distinguishing physical characteristics?	4. Other	6. TYPE OF INFORMATION COLLECTED	1. Name	2. Social Security #	3. Driver's License #	4. Other unique identifier	5. Age	6. Birthplace	7. Birthplace of parents	8. Family history
Accident Reports								X				X								X		X						X	X	X	X	X	X	X			X			X							X								X	X			X			
Motor Vehicles, Bureau of																																																																
Drivers License		X								X	X	X				X			X			X								X	X	X	X						X		X		X		X	X								X			X	X	X		X			
Registrations		X								X	X	X				X			X			X								X	X	X	X							X	X			X	X								X			X	X	X					
Titles		X								X	X	X					X		X			X								X	X	X	X							X	X	X		X	X								X			X							
Driver Improvement		X	X		X	X									X			X	X		X																X		X				X	X		X								X	X	X		X			
Natural Resources Department																																																																
Law Violations		X	X			X						X					X		X								X				X	X		X		X				X		X								X								X	X	X	X	X	X		
Boat and ORV Registration		X								X		X				X			X							X				X	X		X						X								X											X			X	X			
Nurses Board																																																																
License File		X						X		X	X	X							X			X										X		X						X						X	X			X				X				X	X			X	X		
Optometry Board																																																																
License File		X								X		X					X		X			X								X	X	X	X	X	X	X			X									X				X				X			X	X	X		
Pharmacy Board																																																																
Apprentice Registration		X	X								X		X				X			X							X				X	X	X	X		X				X		X		X						X				X				X			X	X	X		
Registered Pharmacist		X	X		X						X		X				X			X							X				X	X	X	X		X				X		X		X		X								X				X			X	X	X		
Reciprocation		X			X						X		X				X			X							X				X	X	X	X		X				X		X		X		X								X				X	X		X	X	X		
Continuing Education		X								X		X				X			X							X				X	X	X	X		X				X		X		X							X								X			X				
Controlled Substance		X				X				X		X				X			X					X		X				X	X	X	X		X				X		X		X		X												X			X				
Pharmacy Permits		X	X								X		X				X			X							X				X	X	X	X		X				X		X		X		X												X			X				
Plumbing Commission																																																																
License File		X				X				X	X	X				X	X									X				X	X	X	X	X								X	X			X				X				X				X	X			X			
Complaint & Investigations		X			X		X	X			X		X			X										X				X	X		X						X		X								X								X							
Private School Accreditation Commission																																																																
Registered Agents		X	X			X				X	X	X			X					X				X																X			X							X								X				X			
Public Employee Retirement Fund																																																																
Membership		X								X		X					X		X			X		X						X					X				X	X	X							X								X	X	X	X	X			
Retiree Disability Mem		X	X								X		X					X		X			X		X						X					X				X	X	X							X								X	X	X	X	X	X		
Waivers, Refunds, Vesting		X								X		X					X		X			X		X						X					X				X	X	X							X						X		X	X	X	X	X			
Member's Contributions		X				X				X		X					X		X			X		X						X				X		X				X	X	X				X		X		X								X	X	X	X	X			
Retiree Disability Benefit		X			X							X					X		X			X		X						X					X				X	X	X				X	X											X	X	X	X	X			
Retiree Disability Signature		X										X						X		X			X		X			X				X									X	X	X								X						X		X			X				
Employer's Employee Lists		X		X						X		X					X		X			X		X													X				X	X	X				X						X							X	X	X	X				
Social Security Reporting		X				X				X		X					X		X				X		X					X	X								X	X	X				X	X			X	X							X	X	X	X				
Public Instruction																																																																
Educ. Info. & Research																																																																
EIR 2, Cert. Personnel		X										X					X		X			X								X	X		X		X				X	X					X												X	X			X			
EIR 7, School Board Members		X																	X		X			X								X			X						X						X												X				X			
GED Testing																																																																
Record of Test Results					X	X				X	X				X						X					X	X				X	X	X	X						X		X	X							X								X	X			X			
Test Results						X				X	X		X		X						X					X	X				X	X	X	X						X		X								X								X	X			X			
App. for GED Diploma		X								X	X		X		X						X					X	X				X			X						X											X								X				X			
App. for GED (conference)						X				X	X		X		X						X					X	X				X	X		X						X											X								X	X			X			
Bicultural Education																																																																
MSRTS Files		X	X		X	X		X		X	X	X				X			X						X	X	X						X		X				X		X		X		X			X						X		X			X	X	X		
Health Assessment Files		X	X	X		X				X					X			X							X		X			X	X	X	X		X				X										X												X			
Public Information Division																																																																
Hoosier Schoolmaster Mail		X						X			X							X		X								X								X					X						X				X							X							

	9 Guardian or Foster Child info	10 Marital status	11 Next of kin	12 # of Children	13 Sibling info	14 Other vital records	15 Race	16 Ethnic group	17 Religious preference	18 Citizenship	19 National origin	20 Appearance	21 Physical characteristics	22 Physical disabilities	23 Addresses, current or past	24 Military Service	25 Veteran's Administration claim number	26 Membership in groups	27 Political affiliation	28 Tax information and history	29 Income total and/or by sources	30 Real and/or personal property ownership
Accident Reports		X		X						X	X				X							
Motor Vehicles, Bureau of																						
Drivers License												X	X	X	X							
Registrations															X							
Titles															X							
Driver Improvement												X	X		X							
Natural Resources Department																						
Law Violations																						
Boat and ORV Registration																						
Nurses Board																						
License File		X								X	X				X							
Optometry Board																						
License File						X				X					X							
Pharmacy Board																						
Apprentice Registration															X							
Registered Pharmacist						X									X							
Reciprocation		X				X									X							
Continuing Education															X							
Controlled Substance						X									X							
Pharmacy Permits						X									X							
Plumbing Commission																						
License File												X			X	X						
Complaint & Investigation															X	X						
Private School Accreditation Commission																						
Registered Agents										X					X							
Public Employee Retirement Fund																						
Membership		X	X	X		X										X					X	
Retiree Disability Mem		X	X	X		X						X	X	X	X	X						
Waivers, Refunds Vesting		X	X	X		X									X							
Member's Contributions		X				X									X						X	
Retiree Disability Benefit						X									X						X	
Retiree Disability Signature																						
Employer's Employee Lists																					X	
Social Security Reporting																					X	
Public Instruction																						
Educ. Info. & Research																						
EIR 2, Cert. Personnel															X						X	
EIR 7, School Board Members																					X	
GED Testing																						
Record of Test Results															X							
Test Results															X							
App. for GED Diploma															X	X						
App. for GED (underage)	X														X							
Vocational Education																						
MSRTS Files	X				X	X									X							
Needs Assessment Files	X													X	X							
Public Information Division																						
Hoosier Schoolmaster Mail															X							

	31 Assets and/or debts	32 Expenditures or credit rating	33 Checking and savings accounts	34 Home ownership	35 Public housing occupancy	36 Mortgages and/or mortgage history	37 Condition of living quarters	38 Highest grade completed/degrees earned	39 Grade average or class standing	40 Knowledge of foreign language	41 Legal residence	42 Mailing address	43 Occupation, current and/or past	44 Occupational preferences	45 Employment status and history	46 Employer	47 Occupational licenses and certificates	48 Recommendations and references	49 Police records	50 Security reports	51 Other investigative reports	52 Involvement/records of civil/criminal court	53 Medical information and history	54 Dental information and history	55 Psychiatric information and history	56 Personality inventory	57 Alcoholism and drug addiction	58 Motor vehicle ownership	59 Other kind of ownership	60 Food purchases and consumption	61 Other
Accident Reports													X			X															
Motor Vehicles, Bureau of																															
Drivers License												X				X							X								
Registrations												X																			
Titles												X																X			
Driver Improvement												X									X	X									
Natural Resources Department																															
Law Violations																				X	X	X					X	X			
Boat and ORV Registration																															
Nurses Board																															
License File								X	X			X					X	X													
Optometry Board																															
License File								X	X	X		X					X		X			X					X				
Pharmacy Board																															
Apprentice Registration								X			X					X		X	X	X	X	X			X		X				
Registered Pharmacist								X			X				X	X	X	X	X	X	X	X			X		X				
Reciprocation								X			X				X	X	X	X	X	X	X	X			X		X				
Continuing Education								X			X					X	X														
Controlled Substance								X			X				X	X	X		X	X	X	X			X		X				
Pharmacy Permits								X			X				X	X	X	X	X	X	X	X			X		X				
Plumbing Commission																															
License File								X			X	X	X		X	X	X	X													X
Complaint & Investigation											X	X	X								X										
Private School Accreditation Commission																															
Registered Agents												X						X	X												
Public Employee Retirement Fund																															
Membership											X	X	X		X	X															
Retiree Disability Mem											X	X	X		X	X							X								
Waivers, Refunds Vesting			X								X	X			X	X															
Member's Contributions															X	X															
Retiree Disability Benefit			X								X	X			X	X							X								
Retiree Disability Signature																															
Employer's Employee Lists															X	X															
Social Security Reporting															X	X															
Public Instruction																															
Educ. Info. & Research																															
EIR 2, Cert. Personnel								X				X			X	X	X														X
EIR 7, School Board Members								X				X																			
GED Testing																															
Record of Test Results								X				X																			X
Test Results												X																			X
App. for GED Diploma								X			X	X																			X
App. for GED (underage)								X			X	X						X													X
Vocational Education																															
MSRTS Files									X				X										X	X							
Needs Assessment Files							X																X	X							
Public Information Division																															
Hoosier Schoolmaster Mail												X																			

	7.a Individual permitted to withhold information?	YES	NO	8.a Length of time information is kept?	1. less than 3 years	2. 3 to 5 years	3. 6 to 9 years	4. 10 years or more	5. indefinitely
Accident Reports			X						X
Motor Vehicles, Bureau of									
Drivers License			X					X	
Registrations			X					X	
Titles			X					X	
Driver Improvement			X					X	
Natural Resources Department									
Law Violations		X						X	
Boat and ORV Registration		X						X	
Nurses Board									
License File			X						X
Optometry Board									
License File			X						X
Pharmacy Board									
Apprentice Registration			X					X	
Registered Pharmacist			X					X	
Reciprocation			X					X	
Continuing Education			X					X	
Controlled Substance			X					X	
Pharmacy Permits			X					X	
Plumbing Commission									
License File			X						X
Complaint & Investigation			X						X
Private School Accreditation Commission									
Registered Agents			X						X
Public Employee Retirement Fund									
Membership			X						X
Retiree Disability Mem			X						X
Waivers, Refunds Vesting			X						X
Member's Contributions			X						X
Retiree Disability Benefit			X						X
Retiree Disability Signature			X						X
Employer's Employee Lists			X						X
Social Security Reporting			X						X
Public Instruction									
Educ. Info. & Research									
EIR 2, Cert. Personnel									X
EIR 7, School Board Members									X
GED Testing									
Record of Test Results		X							X
Test Results		X							X
App. for GED Diploma		X							X
App. for GED (underage)		X							X
Vocational Education									
MSRTS Files		X				X			
Needs Assessment Files		X				X			
Public Information Division									
Hoosier Schoolmaster Mail		X							X

	1. SOURCE OF INFORMATION A. From individual person	1. By report forms or applications	2. Through interviews	3. Through surveys	4. Other	B From another agency	C From published source	D From some other source	2. REQUIREMENT FOR SUPPLYING OF INFORMATION	A Data required as a condition	B Data supplied on a voluntary basis	C Data required by law	D Other	3. CLASSIFICATION OF INFORMATION FILES	A. Information is all confidential	B Some is confidential; Some is not confidential	C. Information is non-confidential	D Is information a public record?	1. YES	2. NO	E. Basis for classification	1 By state statute	2 By federal statute	3 By state regulations	4 By federal regulations	5 By discretion of official	6 Other
Pupil Personnel Services																											
Application for Waiver		X									X						X							X			
School Traffic Safety																											
School Bus Inspections						X						X					X		X			X					
School Bus Accidents		X				X							X				X		X								X
Special Education																											
Program Approval						X		X		X		X			X					X						X	
Teacher Certification																											
Certification Files		X			X	X		X		X		X				X			X							X	
Public Welfare Department																											
Child Welfare																											
WIN Registration		X				X				X		X			X					X		X		X			
IARF Case		X				X					X						X		X							X	
Interstate Adoption		X				X		X				X			X					X		X					
Foreign Adoption		X				X		X				X			X					X		X	X				
Adoption Cases		X				X		X				X			X					X		X					
SSIP Cases		X				X		X		X					X					X						X	
Child Abuse		X				X						X			X					X		X					
Service Plans						X							X		X					X			X		X		
Recipient Ledger								X					X		X					X			X		X		
Crippled Children																											
Credentials		X								X	X	X			X					X		X	X	X		X	
Card		X			X	X														X						X	
Food Stamp Division																											
Case Register		X	X			X				X	X	X				X				X			X		X		
Claim Determination		X	X		X	X				X		X				X				X						X	
Appeal		X	X		X	X				X	X	X							X				X		X		
Complaint			X		X						X					X				X						X	
Fraud Prosecutions			X		X							X					X		X			X	X	X	X		
Medicaid Division																											
Recipient Eligibility		X						X			X	X			X				X			X	X	X	X		
Public Assistance																											
Eye Treatment		X	X			X		X		X		X			X					X		X	X	X	X		
Accounts & Audits						X						X			X					X		X	X	X	X		
Statistics					X							X			X					X			X				
Investigative Files		X	X			X		X							X					X			X				
Central Files		X				X						X			X					X			X	X			
Real Estate Commission																											
Broker Applications		X								X	X	X							X			X		X			
Salesmen Applications		X								X	X	X							X			X		X			
Rehabilitation Services																											
Closed Client Case Files								X				X			X					X			X		X		
Counselor Case Files		X	X			X					X	X			X					X			X	X	X		
Follow Back		X									X	X					X			X			X		X		
Blind Registry		X				X		X				X			X					X		X					
Rehab. Svc. Disability Determination																											
Case File		X			X	X		X		X		X			X					X		X	X				
Medical Roster		X	X												X					X		X	X				

	4 AVAILABILITY OF INFORMATION TO OTHERS	A. Information is available to	1 Other in-state agencies	2 Out of state and federal agencies	3 Non governmental organizations	4 Individuals with a valid reason	5 Any others	6 For statistical purposes	7 For other purposes
Pupil Personnel Services									
Application for Waiver									
School Traffic Safety									
School Bus Inspections			X					X	
School Bus Accidents			X					X	
Special Education									
Program Approval								X	
Teacher Certification									
Certification Files			X	X	X	X		X	
Public Welfare Department									
Child Welfare									
WIN Registration			X					X	X
IARF Case			X	X	X	X		X	X
Interstate Adoption			X	X	X		X		X
Foreign Adoption			X	X	X				X
Adoption Cases			X						X
SSIP Cases			X						X
Child Abuse			X					X	X
Service Plans			X	X	X			X	X
Recipient Ledger			X	X	X			X	X
Crippled Children									
Credentials			X		X	X			
Card									
Food Stamp Division									
Case Register			X	X					
Claim Determination				X					
Appeal				X		X			
Complaint				X					
Fraud Prosecutions				X					
Medicaid Division									
Recipient Eligibility			X	X				X	
Public Assistance									
Eye Treatment			X	X	X	X			
Accounts & Audits			X	X					
Statistics			X						
Investigative Files			X	X					
Central Files			X						
Real Estate Commission									
Broker Applications			X	X		X			
Salesmen Applications			X	X		X			
Rehabilitation Services									
Closed Client Case Files			X	X	X	X		X	
Counselor Case Files			X		X	X			
Follow Back								X	
Blind Registry								X	
Rehab. Svc. Disability Determination									
Case File			X	X		X			
Medical Roster									

	5 IDENTIFICATION OF INDIVIDUAL RECORDS	C How are the records identified?	1. By name	2 By Social Security number	3 By an agency code number	4 By some other means	5 Are application forms pre numbered?	D How are the records stored?	1 By data processing (computer)	2 Microfilm	3 Microfiche	4 Other micro-records	5 Manual (file cabinets)	6 Other	F Do you collect for information	1 Fingerprints?	2 Photographs?	3 Other distinguishing physical characteristics?	4 Other
Pupil Personnel Services																			
Application for Waiver																			
School Traffic Safety						X							X						
School Bus Inspections						X							X						
School Bus Accidents						X							X						
Special Education																			
Program Approval				X		X			X				X						
Teacher Certification																			
Certification Files			X	X					X	X	X		X	X					
Public Welfare Department																			
Child Welfare																			
WIN Registration			X		X								X						
IARF Case			X		X								X				X		
Interstate Adoption			X		X								X						
Foreign Adoption			X		X								X				X		
Adoption Cases			X		X					X			X						
SSIP Cases			X		X					X			X						
Child Abuse			X		X								X						
Service Plans			X	X	X								X						
Recipient Ledger			X	X	X								X						
Crippled Children																			
Credentials					X								X						
Card			X										X						
Food Stamp Division																			
Case Register			X	X	X	X			X		X								
Claim Determination			X		X	X							X						
Appeal			X		X								X						
Complaint			X		X								X						
Fraud Prosecutions			X		X								X						
Medicaid Division																			
Recipient Eligibility			X	X	X				X	X									
Public Assistance																			
Eye Treatment			X		X				X	X	X		X						
Accounts & Audits			X		X					X	X		X						
Statistics			X		X				X				X						
Investigative Files			X		X								X						
Central Files			X		X						X		X						
Real Estate Commission																			
Broker Applications			X		X				X		X		X				X		
Salesmen Applications			X		X				X		X		X				X		
Rehabilitation Services																			
Closed Client Case Files			X										X						
Counselor Case Files			X										X						
Follow Back			X										X						
Blind Registry			X										X						
Rehab. Svc. Disability Determination																			
Case File			X	X	X		X						X						
Medical Roster			X		X		X						X						

	6 TYPE OF INFORMATION COLLECTED	1 Name	2 Social Security #	3 Driver's License #	4 Other unique identifier	5 Age	6 Birthdates	7 Birthplace of parents	8 Family history
Pupil Personnel Services									
Application for Waiver									
School Traffic Safety		X							
School Bus Inspections		X		X					
School Bus Accidents		X		X					
Special Education									
Program Approval		X	X			X			
Teacher Certification									
Certification Files		X	X			X			
Public Welfare Department									
Child Welfare									
WIN Registration		X			X	X			X
IARF Case		X			X	X			X
Interstate Adoption		X			X	X			
Foreign Adoption		X			X	X			
Adoption Cases		X			X	X	X	X	
SSIP Cases		X				X			X
Child Abuse		X				X			X
Service Plans		X	X		X	X			
Recipient Ledger		X	X		X				
Crippled Children									
Credentials		X			X	X	X		X
Card		X			X	X	X		X
Food Stamp Division									
Case Register		X	X			X			
Claim Determination		X				X			
Appeal		X				X			
Complaint		X							
Fraud Prosecutions		X							
Medicaid Division									
Recipient Eligibility		X	X			X			
Public Assistance									
Eye Treatment		X	X		X	X	X		
Accounts & Audits		X			X	X			
Statistics		X			X				
Investigative Files		X	X	X	X	X			
Central Files		X			X	X	X		
Real Estate Commission									
Broker Applications		X	X			X			
Salesmen Applications		X	X			X			
Rehabilitation Services									
Closed Client Case Files		X	X			X	X		X
Counselor Case Files		X	X			X	X		X
Follow Back		X	X			X			
Blind Registry		X	X			X			
Rehab. Svc. Disability Determination									
Case File		X	X		X	X	X		X
Medical Roster		X							

	9. Guardian or Foster Child info	10. Marital status	11. Place of birth	12. # of Children	13. Sibling info	14. Other vital records	15. Race	16. Ethnic group	17. Religious preference	18. Citizenship	19. National origin	20. Appearance	21. Physical characteristics	22. Physical disabilities	23. Addresses, current or past	24. Military Service	25. Veteran's Administration claim number	26. Membership in groups	27. Political affiliation	28. Tax information and history	29. Income, total and/or by source	30. Real and/or personal property ownership	31. Assets and/or debts	32. Expenditures or credit rating	33. Checking and savings accounts	34. Home ownership	35. Public housing occupancy	36. Mortgages and/or mortgage history
Pupil Personnel Services																												
Application for Waiver	X														X													
School Traffic Safety																												
School Bus Inspections															X													
School Bus Accidents														X	X													
Special Education																												
Program Approval														X														
Teacher Certification																												
Certification Files																												
Public Welfare Department																												
Child Welfare																												
IDY Registration	X				X		X	X	X						X													
IARI Case	X	X		X	X		X	X	X			X	X	X	X													
Interstate Adoption		X					X	X	X																			
Foreign Adoption		X					X	X	X																			
Adoption Cases		X		X			X	X	X																			
SSOP Cases		X		X								X	X	X	X						X	X	X	X	X	X	X	X
Child Abuse	X				X		X	X			X		X	X							X							
Service Plans					X										X													
Recipient Ledger																												
Crippled Children																												
Credentials	X	X	X	X	X	X	X	X				X	X	X	X	X					X	X	X	X	X	X		
Card		X	X	X	X	X	X	X				X	X	X	X	X												
Food Stamp Division																												
Case Register				X			X	X		X					X						X							
Claim Determination				X											X						X	X			X	X		X
Appeal	X			X										X	X						X	X	X		X	X	X	X
Complaint				X										X	X						X	X	X		X			
Fraud Prosecutions				X											X						X							
Medicaid Division																												
Recipient Eligibility		X		X			X								X													
Public Assistance																												
Eps. Treatment	X	X	X	X			X			X			X	X	X	X	X				X	X	X		X	X	X	X
Accounts & Audits				X											X													
Statistics																												
Investigative Files		X		X		X	X					X	X	X	X	X	X				X	X						
Control Files	X	X	X	X			X			X					X		X											
Real Estate Commission																												
Broker Applications		X													X													
Salesman Applications		X													X													
Rehabilitation Services																												
Closed Client Case Files	X	X	X	X	X	X	X	X					X	X	X	X	X				X					X		
Counselor Case Files	X	X	X	X	X	X	X	X					X	X	X	X	X				X					X		
Talking Book			X							X				X	X	X												
Blind Registry		X	X	X										X	X													
Rehab. Svc. Disability Determination																												
Case Files	X	X	X	X	X	X	X	X		X				X	X	X	X				X							
Medical Roster															X													

	37. Condition of living quarters	38. Highest grade completed, degrees earned	39. Grade average or class standing	40. Knowledge of foreign language	41. Legal residence	42. Mailing address	43. Occupation, current and/or past	44. Occupational preference	45. Employment status and history	46. Employer	47. Occupational licenses and certificates	48. Recommendations and references	49. Police records	50. Security reports	51. Other investigative reports	52. Involvement/records of civil/criminal court	53. Medical information and history	54. Dental information and history	55. Psychiatric information and history	56. Personality inventory	57. Alcoholism and drug addiction	58. Motor vehicle ownership	59. Other kind of ownership	60. Food purchases and consumption	61. Other	7.a Individual permitted to withhold information?	YES	NO	8.a Length of time information is kept?	1. less than 3 years	2. 3 to 5 years	3. 6 to 9 years	4. 10 years or more	5. indefinitely
Pupil Personnel Services																																		
Application for Waiver			X			X																			X		X				X			
School Traffic Safety																																		
School Bus Inspections										X												X					X				X			
School Bus Accidents										X												X					X				X			
Special Education																																		
Program Approval											X						X										X				X			
Teacher Certification																																		
Certification Files		X	X			X	X		X	X	X	X					X				X							X						X
Public Welfare Department																																		
Child Welfare																																		
IDY Registration																												X						X
IARI Case		X			X	X											X	X	X	X								X						X
Interstate Adoption					X	X																						X						X
Foreign Adoption					X	X																						X						X
Adoption Cases																												X						X
SSOP Cases	X	X	X		X	X	X	X	X	X	X						X	X	X	X		X	X	X				X						X
Child Abuse		X				X	X		X								X		X		X							X						X
Service Plans						X																						X						X
Recipient Ledger																												X						X
Crippled Children																																		
Credentials	X	X			X	X	X			X							X	X	X			X	X					X						X
Card					X	X																												
Food Stamp Division																																		
Case Register					X	X																		X				X			X			
Claim Determination					X	X	X								X							X		X				X			X			
Appeal					X	X	X		X	X					X		X					X	X	X				X			X			
Complaint						X	X			X														X				X			X			
Fraud Prosecutions					X	X									X									X				X			X			
Medicaid Division																																		
Recipient Eligibility						X																						X		X				
Public Assistance																																		
Eps. Treatment	X	X			X	X	X		X	X						X	X	X	X		X	X	X					X			X			X
Accounts & Audits						X																						X			X			X
Statistics																												X			X			X
Investigative Files					X	X	X						X	X	X	X						X						X			X			X
Control Files					X	X				X																		X			X			X
Real Estate Commission																																		
Broker Applications		X			X	X	X		X	X	X	X				X												X						X
Salesman Applications		X			X	X	X									X												X						X
Rehabilitation Services																																		
Closed Client Case Files		X	X		X	X	X	X	X	X	X						X	X	X	X					X			X			X			
Counselor Case Files		X	X		X	X	X	X	X	X	X						X	X	X	X	X						X				X			
Talking Book						X																					X							
Blind Registry		X				X											X										X							
Rehab. Svc. Disability Determination																																		
Case Files		X			X	X	X		X	X							X		X	X	X						X			X				
Medical Roster						X	X				X						X		X	X	X						X			X				

	1. SOURCE OF INFORMATION A. From individual person	1. By report forms or applications	2. Through interviews	3. Through surveys	4. Other	B. From another agency	C. From published source	D. From some other source	2. REQUIREMENT FOR SUPPLYING OF INFORMATION	A. Data required as a condition	B. Data supplied on a voluntary basis	C. Data required by law	D. Other	3. CLASSIFICATION OF INFORMATION FILES	A. Information is all confidential	B. Some is confidential Some is not confidential	C. Information is non confidential	D. Is information a public record?	1. YES	2. NO	E. Basis for classification	1. By state statute	2. By federal statute	3. By state regulations	4. By federal regulations	5. By discretion of official	6. Other	4. AVAILABILITY OF INFORMATION TO OTHERS	A. Information is available to	1. Other in-state agencies	2. Out-of-state and federal agencies	3. Non governmental organizations	4. Individuals with a valid reason	5. Any others	6. For statistical purposes	7. For other purposes	5. IDENTIFICATION OF INDIVIDUAL RECORDS	C. How are the records identified?	1. By name	2. By Social Security number	3. By an agency code number	4. By some other means	5. Are application forms pre-numbered?	D. How are the records stored?	1. By data processing (computer)	2. Microfilm	3. Microfiche	4. Other micro-records	5. Manual (file cabinets)	6. Other	E. Do you collect for information	1. Fingerprints?	2. Photographs?	3. Other distinguishing physical characteristics?	4. Other	6. TYPE OF INFORMATION COLLECTED	1. Name	2. Social Security #	3. Driver's License #	4. Other unique identifier	5. Age	6. Birthplace	7. Birthplace of parents	8. Family history
Residual File		X													X					X		X	X							X	X								X	X	X		X						X								X	X		X	X	X		X
Revenue Department																																																															
Individual Income Tax		X				X				X					X					X		X	X							X	X								X	X	X				X				X								X	X						
Sales Tax		X								X					X					X		X	X								X								X		X				X				X								X	X						
Collection Files					X										X					X		X	X								X								X		X				X				X								X	X						
Intangibles Tax		X								X					X					X		X	X								X								X	X									X								X	X						
Corporate Tax		X								X					X					X		X	X								X								X			X			X				X								X	X						
Withholding Records		X								X					X					X		X	X								X								X			X			X				X								X	X						
Scholarship Commission																																																															
Student Files		X						X		X	X	X				X			X			X			X	X					X	X			X				X	X	X				X				X								X	X			X			
State Police																																																															
Case Files															X					X		X								X	X	X			X				X		X				X	X			X															
Gun Files		X								X		X				X			X			X								X	X	X	X						X		X		X						X			X		X			X				X	X		
Private Detective Files		X				X				X		X				X			X			X								X	X	X	X						X		X		X						X			X	X				X	X			X	X		
Criminal History Files						X										X			X			X								X	X	X							X		X								X			X	X				X	X			X	X		
Applicant Files		X									X	X				X			X			X								X	X	X							X		X								X			X					X	X			X	X		X
Traffic Files		X						X				X				X			X							X				X	X	X	X		X				X		X		X		X	X			X								X	X			X	X		
Tax Commissioners																																																									X	X	X		X			
Personal Property		X		X	X	X		X				X				X			X	X		X		X						X	X								X		X								X								X	X		X				
Real Estate				X	X						X					X			X	X		X																X		X								X								X							
Teachers Retirement Fund																																																															
Active Teachers		X	X	X	X					X	X	X				X										X							X		X				X	X		X					X										X	X		X	X			
Retired Teachers		X	X	X	X					X	X	X				X										X							X		X				X	X		X					X										X	X		X	X			
Inactive Teachers		X	X	X	X						X	X				X										X							X		X				X	X		X				X	X										X	X		X	X			
Toll Road Commission																																																															
Driver File		X				X				X	X						X		X							X					X								X		X								X								X		X		X			
Traffic Safety																																																															
Station License Application		X	X			X				X		X				X			X	X		X								X	X		X		X				X		X								X	X		X					X							
Mechanic License Application		X	X			X				X		X				X			X	X		X								X	X		X		X				X		X								X	X		X					X			X	X			
TV & Radio Licensing Board																																																															
Service Dealers		X								X		X					X			X		X		X									X						X		X				X				X					X	X		X	X						
TV Technicians		X								X		X					X			X		X		X									X						X		X				X				X					X	X		X	X			X			
Radio Technicians		X								X		X					X			X		X		X									X						X		X				X				X					X	X		X	X			X			
Antenna Technicians		X								X		X					X			X		X		X									X						X		X				X				X					X	X		X	X			X			
Apprentices		X								X		X					X			X		X		X									X						X		X				X				X					X	X		X	X			X			
Veteran's Affairs																																																															
Viet Nam Bonus Files		X													X				X			X																				X					X											X	X			X			
Veterinary Medical Exam																																																															
Licensed Veterinarians		X	X			X				X	X	X					X		X			X				X					X	X	X						X						X				X								X	X			X	X		
Registered Animal Tech		X								X	X	X					X		X			X				X						X	X						X						X				X								X	X			X	X		
Livestock - Licenses		X								X		X				X			X			X				X				X	X		X		X														X								X							
Livestock - Agents		X								X		X				X			X			X				X				X	X		X		X				X						X				X								X							
Watch Repair Exam Board																																																															
Watchmakers		X								X	X	X					X			X		X		X									X						X		X				X				X					X			X	X			X	X		
Clockmakers		X								X	X	X					X			X		X		X									X						X		X				X				X					X			X	X			X	X		
Apprentices		X								X	X	X					X			X		X		X									X						X		X				X				X					X			X	X			X	X		

	5 Guardian or Foster Child info	10 Marital status	11 Date of birth	12 # of Children	13 Sibling info	14 Other vital records	15 Race	16 Ethnic group	17 Religious preference	18 Citizenship	19 National origin	20 Appearance	21 Physical characteristics	22 Physical disabilities	23 Addresses, current or past	24 Military Service	25 Veteran's Administration claim number	26 Membership in groups	27 Political affiliation	28 Tax information and history	29 Income, total paid and/or by sources	30 Real and/or personal property ownership	31 Assets and/or debts	32 Expenditures or credit rating	33 Checking and savings accounts	34 Home ownership	35 Public housing occupancy	36 Mortgages and/or mortgage history	37 Condition of living quarters	38 Highest grade completed, degrees earned	39 Grade average or class standing	40 Knowledge of foreign language	41 Legal residence	42 Mailing address	43 Occupation, current and/or past	44 Occupational preference	45 Employment status and history	46 Employer	47 Occupational licenses and certificates	48 Recommendations and references	49 Police records	50 Security reports	51 Other investigative reports	52 Imprisonment/records of civil/criminal court	53 Medical information and history	54 Dental information and history	55 Psychiatric information and history	56 Personality inventory	57 Alcoholism and drug addiction	58 Motor vehicle ownership	59 Other kind of ownership	60 Food purchases and consumption	61 Other	7.A Individual permitted to withhold information?	YES	NO	8.a Length of time information is kept	1. less than 3 years	2. 3 to 5 years	3. 6 to 9 years	4. 10 years or more	5. indefinitely		
Resident File	X	X		X			X							X	X															X			X	X	X		X								X		X	X	X						X			X						
Revenue Department																																																																
Individual Income Tax		X		X											X					X	X	X											X	X																					X				X				
Sales Tax															X					X	X												X	X																					X				X				
Collection Files															X					X	X												X	X																					X				X				
Intangibles Tax															X					X	X	X											X	X																					X				X				
Corporate Tax															X					X	X												X	X																					X				X				
Withholding Records															X					X	X												X	X																					X				X				
Scholarship Commission																																																																
Student Files	X	X		X	X		X	X		X					X					X	X	X	X	X	X	X		X			X		X	X	X		X	X			X			X							X				X					X				
State Police																																																																
Case Files							X						X		X																		X	X											X	X					X						X			X	X	X	X		
Gun Files							X			X	X		X		X																		X	X		X				X		X			X							X					X			X	X	X	X		
Private Detective Files						X	X						X		X					X													X	X		X			X	X		X			X							X					X			X	X	X	X		
Criminal History Files						X	X					X	X	X	X																		X	X		X						X			X												X			X	X	X	X		
Applicant Files			X			X	X						X		X																			X	X										X			X												X			X	X	X	X		
Traffic Files			X				X						X		X																			X	X													X	X					X	X						X			X	X	X	X		
Tax Commissioners																																																																
Personal Property															X					X		X	X													X																			X					X			X						
Real Estate																							X				X										X	X																			X					X			X						
Teachers Retirement Fund																																																																
Active Teachers															X	X					X									X						X		X	X	X						X		X									X							X		
Retired Teachers		X													X	X					X									X			X	X			X		X						X		X									X							X		
Inactive Teachers															X	X					X									X			X	X	X		X		X																X							X		
Toll Road Commission																																																																
Driver File													X	X		X																				X				X	X		X			X											X			X						
Traffic Safety																																																																
Station License Application																																	X	X							X		X	X												X						X		
Mechanic License Application													X	X		X															X			X	X	X			X		X	X		X	X												X						X		
TV & Radio Licensing Board																																																																
Service Dealers															X																			X										X									X					X						X		
TV Technicians													X		X	X														X				X	X			X	X	X				X													X						X		
Radio Technicians													X		X	X														X				X	X			X	X	X				X													X						X		
Antenna Technicians													X		X	X														X				X	X			X	X	X				X													X						X		
Apprentices															X																			X	X			X		X				X													X						X		
Veteran's Affairs																																																								X						X		
Viet Nam Bonus Files																X	X																																												X		
Veterinary Medical Exam																																																																
Licensed Veterinarians										X						X														X				X	X	X				X	X	X		X														X						X		
Registered Animal Tech										X						X														X				X	X	X			X	X	X	X		X														X						X		
Livestock Licenses															X							X		X												X	X											X	X													X					X			
Livestock Agents															X							X		X												X	X											X	X													X					X			
Watch Repair Exam Board																																																																
Watchmakers													X		X																X				X				X		X				X													X						X		
Clockmakers													X		X																X				X				X		X				X													X						X		
Apprentices													X	X	X																X				X				X		X				X													X						X		

Computer Matching

In 1978, the General Assembly amended the Fair Information Practices Act signficantly. The amendment allowed a state agency to exchange personal data with another when it determined that "the information is requested for purposes authorized by law [including agency regulations]; the data subject would reasonably be expected to benefit from the action for which information is requested; the exchange would eliminate an unnecessary and expensive duplication in data collection and would not tangibly, adversely effect the data subject; or the exchange of information would facilitate the submission of documentation [for] federal funding." This essentially authorized "computer matches." It was not until a year later that federal agencies had authorization to conduct matches, and that came from internal legal interpretations of the Privacy Act, not from regulations or legislation. I-

(In 1984 the legislature enacted a requirement that "a public agency that receives a confidential public record from another public agency shall maintain the confidentiality of the public record.") I-

Indiana state agencies have made computer lists available to federal auditors who conduct matches, rather than conducting extensive matches on their own. An example is the Employment Security Division, which provides the U.S. Department of Agriculture with quarterly wage information and unemployment benefits information for a match against food stamp recipients. If there is a "hit" matching persons on both lists, the name can be run against other benefits programs to see whether the reported income disqualifies an individual for those income-based benefits. The Department of Public Welfare, which weekly matches recipient files with wage data, makes its recipient files available to federal auditors for match purposes, according to James Cook, the assistant administrator. Cook said that in his experience computer matches were not really cost effective. Very few "hits" were found that resulted in actual overpayments or abuse. Many suspected hits were due to inaccurate Social Security numbers. Cook said that as computerization in the state agencies gets more sophisticated and information more current, the matches may become more worthwhile. I- I-

Cook was not alone among state officials expressing doubt about the cost effectiveness of matching. No state officials interviewed in this study, in fact, stated that the matches were notably successful (although some said that certain "intercept" programs were logical whether or not the recovery was great).

The department about once a year has run lists of Aid to Families with Dependent Children (AFDC) and Medicaid recipients against lists of dead persons as recorded by the State Board of Health. There is also a program to intercept unemployment checks scheduled to go to persons delinquent in child support. I-24)

Minnesota   Pop. 4.08 million, ranks 21st

Government Data Practices Act, Minn. Stats. ch. 13

Donald A. Gemberling, Director
Data Privacy Division, Department of Administration
612/296-6733

Privacy Protection

No jurisdiction in the U.S. is more sophisticated in its data protection than the State of Minnesota. Its Government Data Practices Act predates the federal Privacy Act and all other states' acts, and it was amended in each of ten years, from its passage in 1974 to 1984, to fine-tune it in accord with experience gained each year. Data protection has been M-1) progressive in Minnesota because, contrary to the situation at the federal level and in most other states, privacy protection originated in the bureaucracy of the executive branch. The law was not imposed upon civil servants, but in fact nurtured and encouraged by them. They worked regularly, and still do, with state legislators interested in the issue. The concept of the act, and evidence of its need, originated in part with the late Daniel Magraw, assistant commissioner of the Department of Administration; since then most of the improvements in the act, which was substantially rewritten by the legislature in 1979, come from the Department of Administration.

One model for the Minnesota law in 1974 was the Swedish Data Act of 1973, which set standards for confidentiality and individual access and established a data inspection board to keep track of the government's data systems. Another model, on the Senate side of the state legislature, was the Code of Fair Information Practice in the 1973 Department of Health, Education and Welfare advisory committee report. The original Minnesota act, four pages in length, covered towns (nearly 2000 of them), as well as state agencies, cities, counties, and school districts. It required that a description of each system of records be submitted to the Department of Administration; required the Department to issue rules regarding disclosure of personal data; and required agencies and units of local government to make sure a citizen was given "the content and meaning of the data recorded about him or shown the data without any charge," and to give a citizen a right to contest the correctness of information. "This clause does not apply to data on individuals which is defined by statute as confidential." For the next seven years legislators and members of the Department of Administration were preoccupied with refining that sentence in the 1974 law. M-2)

In its first year administering the law, the Department of Administration encountered great resistance from localities, especially townships. Only

60 percent responded to its notification of their responsibilities under the act. Magraw said in his first report to the legislature in January 1975, "Towns maintained very few if any records on individuals other than those that are public. Thus, the threat to privacy is minimal; the town and state efforts required to implement and enforce such legislation in 1800 towns will be substantial. It may best be deferred until the major areas of concern are under control." He recommended deleting towns from the law, and it was done in 1975.

Counties and cities were a different story. Magraw told the National Computer Conference in 1975, "About every local file is a 'people file.' There is an amazing lack of form standardization and organization." Among four counties he studied in a survey, each of the four had a different level of confidentiality for adoption records. A quarter of the information considered "confidential" by officials had no basis in law for that determination. There were six different meanings of "confidential" among the counties.

In 1975, at Magraw's urging, the legislature amended the law to classify all data on individuals as 1) *public*, and therefore accessible to anyone; 2) *private*, and therefore accessible to the data subject himself and to government officials with a need to know; and 3) *confidential*, and therefore accessible only to government officials with a need to know and *not* to the individual data subject. This classification affected whether an individual had access to particular information and whether it could be disclosed to others by the agency. Under the 1975 amendments, the classification *also* streamlined reporting requirements, because an agency did not have to file reports nor publish public notices on a system that had personal information that was neither "private" not "confidential." For each agency head, the classification of "public," "private," or "confidential" became crucial, in terms of workload, paperwork, and dealing with public inquiries.

After the 1975 amendments, the question became, "Who decides whether personal data is confidential?"

In its 1976 session, the legislature rejected a proposal that state agencies have their own rule-making authority to classify data as private or confidential. Instead, it said data could be classified that way only by state statute or federal law, but that the Commissioner of Administration

could issue an "emergency classification" upon request of an agency, until
-3 the legislature enacted a statute making such classification official.
This created a backlog of requests, which the Department of Administration
did not accept or reject and which the legislature did not act on. In 1977, M-7)
the legislature amended the data privacy act by merely mandating that all
"emergency classifications" would expire in July 1978. In 1978 the legislature M-8)
-4) amended the law again by extending the deadline another 12 months. M-9)

In 1979 came a substantial rewriting of the law. What had been the
Data Security and Privacy Act became the Government Data Practices Act
and "emergency classifications" became "temporary classifications." More
important, the legislature adopted a presumption of openness, not secrecy,
in government data, and accepted a long list of data classifications offered
by the Department of Administration. By now the act dealt as much with
non-personal data as personal data. M-10)

-5)

Several technical amendments came in 1980.

"The legislative reaction to the 1981 [proposed] bills can be characterized
by the question: 'Haven't we already heard most of this before?,'"
according to Donald A. Gemberling, now Director of the Data Privacy Division
in the Department of Administration. Amendments that year further M-11)
ratified some of the data classifications made by the Department of Administration.
That same year, the Data Privacy Division published regulations,
which have remained unchanged since that time. "In summary," according to
Gemberling, "the development of the Data Practices Act can best be described
as an attempt by the legislature to manage the conflict between representatives
of the [news] media, who advocate maximum access to government information,
and representatives of government agencies who attempt to advocate, through
-6) the classification-of-data process, either institutional confidentiality
or personal privacy interests. This history has produced a series of tentative
conclusions." By contrast, in Washington battles over privacy protection M-12)
often pit government officials eager to share personal information
with others (computer matches, debt collection efforts, Selective Service
registration, etc.) against critical representatives of the press advocating
increased privacy protections (The New York Times, Computerworld, U.S. News,
etc.). (An exception to this is the press' objection to restrictions on

access to arrest records.) Also by contrast, the only amendments to the federal Privacy Act since 1974 have been to permit more disclosures of personal information, not to increase the rights of data subjects.

Gemberling also points out that a lot of the features of the Minnesota act have remained stable. One is the "Tennessen Warning," named after the chief state senate author of the act, Robert J. Tennessen (later a member of the federal Privacy Protection Study Commission). This described the notice agencies must use to inform an individual about what use will be made of information and what rights the citizen has. Failure to provide such notice may have legal consequences for a state agency, just as failure to provide a "Miranda Warning" has consequences for a police department making an arrest. This notice must be provided 1) when information is collected from *an individual*, but not from an organization; 2) when an agency is requesting information, not when the individual freely volunteers information; 3) when the data being collected is classified as private or confidential, but not when classified as public; and 4) when the information concerns the individual providing it, not someone else. The warning must be given whether the request for information is written or verbal. The warning itself includes: why the data is being collected; how it will be used; whether the individual may refuse or is legally required to answer; the consequences of not providing it; and the identity of third parties authorized by state or federal law to receive the data. This scheme is more refined than the version in federal law. Providing the warning is directly tied to the provision in the law saying information may be used only for the purpose articulated at the time data is requested.

Personal data in the hands of law enforcement agencies has special treatment in the Minnesota data protection program. Since the 1981 amendments, criminal investigative information is regarded as *confidential* (a term of art in Minnesota) during an active investigation, but becomes *public* when the case is closed, when the defendant's appeal time runs out, or when the statute of limitations has expired. Information disclosed in court, of course, becomes public before that time. Even within these definitions certain information is always public - complainants, identity of arrestees and officers involved; some information about casualties, and police "incident" reports.

The provision on criminal information tries to take into account the interests of the victims of crime. A victim or a witness may request that his or her identity not be revealed, and this must be honored if the police think disclosure would threaten the person or his property. Police are not required by law to tell victims and witnesses this, but some police departments have standard forms for doing so. Further, victims or their attorneys -1 may have access to investigatory information unless the prosecutor believes this would interfere with an investigation or believes the requesting person is prompted by revenge or other unlawful purpose. Without this 1979 amendment to the act, a crime victim, like any other outsider, would not have access to information about a criminal incident in which he himself was involved beacuse that is confidential (accessible only to government officials with a need to know) while the investigation remains current.

The law in Minnesota still requires that data subjects be told "the content and meaning of ... data," and this has been regarded as meaning that the disclosure must not only be human readable but also intelligible, without government jargon. Likewise, under the federal Privacy Act, information must be disclosed to a person "in a form comprehensible to him." M-15)

An active issue in the state for the past five years is whether information about deceased persons is treated the same as that about living persons. M-16) Common law privacy principles say that the right to privacy dies with an individual, although courts have made exceptions (as when heirs try to prevent commercial exploitation of a celebrity who has died or when a convicted criminal seeks access to his file to determine the identity of an FBI agent, now dead, who investigated the criminal's case). In 1985 the Minnesota legislature may resolve whether personal data, once confidential or private, continues to become public upon the death of the person involved. 1

As in Massachusetts, there has been significant court interpretation of the data practices law. Between 1975 and 1982, the state Supreme Court considered the act in seven cases, each of which involved whether or not particular data ought to be released. There have been no criminal prosecutions for violations of the act, and this is true of the Privacy Act of 1974. M-17)

The Data Privacy Division is now a one-person operation with an annual budget of less than $50,000, down from the active days of the late 1970s. M-18)

Mainly the office deals with the legislature, educates state and local government officials, and handles inquiries. In the past two years, Gemberling has given presentations on the act to nearly 100 groups.

Gemberling also handles inquiries about the act -- an estimated 1500 a year from state agencies, political subdivisions, and professional associations, like the Sheriffs and Police Chiefs Associations, the League of Minnesota Cities, the Minnesota Counties Association; 500 from the general public, and 120 from news reporters. Gemberling reports a renewed interest in privacy and the data practices act in calendar 1984. Complaints are up, and so is interest among agency heads. One reason for this is the filing of well publicized lawsuits under the act, including a multi-million dollar lawsuit against an out-state law enforcement agency for alleged wrongful disclosure of investigatory information. One of the issues is whether the victims received the "Tennessen warning." M-

In late 1984 a new controversy arose under the act when the new director of the Public Employees Retirement Association was reported to have authorized the disclosure of computerized mailing lists of public employees to friendly political candidates. A class action lawsuit for damages under the Data Practices Act has been filed. M-

Gemberling observes, "There is nothing like a lawsuit or two to make people [in government] shape up."

Data Collection

The Data Privacy Division maintains "a partial list of data which is referred to or classified by the Minnesota Government Data Practices Act or other Minnesota Statutes." The list illustrates the breadth of data collection at the state and local level. It is not, however, a directory that would help citizens locate data banks in which they are listed. The list follows:

The following is a partial list of data which is referred to or classified by the Minnesota Government Data Practices Act or other Minnesota Statutes. It must be recognized that this is not a complete list and only a few selected federal regulations are listed here. The following gives: (1) a brief and general description of the data; (2) the classification of the data or information when clearly specified and (3) the citation of the Minnesota Statute where the description and/or classification is found. **THIS LISTING IS NOT COMPLETE AND SHOULD ONLY BE USED AS A TOPICAL INDEX AND IS INTENDED ONLY FOR THAT PURPOSE.**

NOTE: The word "confidential" in earlier Minnesota Statutes and current Federal Law may not mean "confidential" as defined in the Minnesota Government Data Practices Act. The classification of "Not Public" is used when the data is not clearly classified as "private" or "confidential" as defined in the Act.

DATA CLASSIFIED BY MINNESOTA STATUTE*

DESCRIPTION	CLASSIFICATION	CITATION
Abortion Records; reports sent to the State Dept. of Health shall not be disclosed in any manner	Confidential	145.413
Abortions for Minors: Court procedings	Confidential	144.343
Abortion; Court proceedings for minor abortions	Confidential	144.343
Abortion; reports of death of mother caused by abortion	Confidential	145.413
Accident Reports required to be provided to Dept. of Public Safety		169.09
a. Accident report information other than narrative	Private	
b. Narrative-parties version of the accident	Confidential	
Administration Dept, Management Analysis Div.: records prepared during audits or investigations of state departments or agencies	Confidential Protected Nonpublic	13.64 (Ch 436, 1984)
Administrative Procedure: Evidence in contested cases which is classified as not public	Not Public	14.60
Adoption Hearing Records: Files and records of the court (See also M.S. 144.1761)	Confidential	259.31
Adoption Hearings Records: Files and records of the court	Confidential	259.31
Adoption: Agencies that place children to keep permanent, confidential adoption records; specifies when and what information is available to parties in an adoption.	Confidential	259.46
Adoption Investigation Records: Records concerning the suitability of proposed adoption	Confidential	259.27
Adoption: requires agencies that place children to keep permanent, confidential adoption records; specifies when and what information is available to parties in an adoption.	Confidential	259.46
Adoption; Access to Adoption Records: All communications regarding a request for disclosure of information on the adopted person's original birth certficate	Not Public	259.49
Adoption; Petition, Investigations, Reports: All reports and records of the Comm. of Public Welfare, County Welfare Board or child placing agency bearing on suitability	Confidential	259.27
Affirmative Action - EEO: Local government reports - utilization of minorities in the county workforce report	Not Public	Section 709(e) Title VII (Civil Rights Act)
Agency Rules; public access	Public	14.46
Alcohol & Drug Abuse Treatment Records	Not Public Some Confidential	254A.09 Title 42, CFR
Alcohol & Drug Abuse; confidentiality of records	Not Public	Title 42, CFR Part II 254A.09
Ambulance Service Reports: Dissemination prescribed by State Board of Health	Not Public	144.807
Appraisal Data: estimated or appraised values of individual parcels of real property made by political subdivisions	Confidential or Public	13.50
Artificial Insemination		257.56
a. Consent filed with Comm. of Health	Not Public	
b. All papers and records pertaining to the insemination	Open by Court Order	

DESCRIPTION	CLASSIFICATION	CITATION
Assessor's Data:		
a. Sales sheets from MLS and income property assessment data	Nonpublic	13.51
b. Income assessment data	Private or Nonpublic	
c. Farm rental value data	Private	273.11
d. Class 3cc homestead classification; SSNo & financial data	Private	13.65
Attorney General Data		13.65
a. Disciplinary proceedings except when there is a public hearing	Private	
b. Non-investigative administrative or policy matters	Private	
c. Consumer complaint data	Private	
d. Inactive investigative data	Private	
e. Communications not in the public interest	Confidential	
f. Final disposition of disciplinary proceedings	Public	
Authority Data; relating to data collected by the St. Paul Civic Center	Nonpublic Public	13.55
Banks: Information obtained in the course of examining financial institutions	Confidential	46.07
Battered Women, Dept. of Corrections: Classification of data collected by grantees	Private	241.62
Benefit Data: Names & addresses of applicants and recipients of benefits to assist with purchase of housing or other real property	Public	13.31 (Ch 436, 1984)
Benefit Data: Other than names & addresses, all other benefit data	Private	13.31 (Ch 436, 1984)
Birth Certficates: Foundling registration	Confidential	144.216
Birth Certificates Foreign Adoptions: Certified copies of court findings and the decree of adoption	Confidential	144.218
Birth Certificates, Adoptions: When a person has been adopted, the original birth certificate and adoption certificate are confidential	Confidenial	144.218
Birth Certificates, Incomplete and Incorrect Certificates: original birth certificate	Confidential	144.218
Birth Certificates, Subsequent Marriage of Natural Parents: original birth certificate	Confidential	144.218
Bonds & Certificates of Indebtedness; all info contained in any register maintained by the state treasurer or a corporate register with respect to ownership of state bonds or certficates of indebtedness	Nonpublic Private	16A.672
Building Code Violations; disclosure of	Public (Limited?)	504.23
Campaign Reports: Exemption from filing	Some Private	10A.20
Cancer Treatment Reports	Not Public	144.69
Child Protection Team: Information sharing, all records maintained by local welfare agency reporting maltreatment of minors may be made available to the child protection team		626.558,Subd. 3
Children, Custody, Legitimacy, Parentage: Hearings and records confidentiality; all papers & records, other than final judgment, pertaining to the actions or proceeding, whether part of permanent recordof the court or of a public welfare file	Not Public Open only upon consent of court and all interested persons	257.70
Children, Custody, Legitimacy; Birth Records: evidence from which new certificate of birth was made and the original birth certificate shall be kept in a sealed and confidential file	Open by Court Order	257.73
Children, Custody, Legitimacy; Pretrial recommendations: In the best interests of the child, the court may order alleged father's identity be kept confidential	Not Public	257.64
Children; Custody; Legitimacy; Parentage: Relating to evidence regarding father/child relationship and original birth certificate	Confidential	257.73
Commitments: Every person subject to a proceeding or receiving services pursuant to the Commitment Act shall have complete access to all of his/her medical records relevant to the commitment		253B.03

DESCRIPTION	CLASSIFICATION	CITATION
Commitments: Judicial records of commitment proceedings	May be sealed by Court	253A.075
Commitments; Pre-petition screening: Data collected by screening team in conducting an investigation required by M.S. 253B.07	Private	253B.07
Commitments; Pre-petition screening: screening team shall have access to all relevant medical records		253B.07
Comm. of Revenue and Dept. of Economic Security; allows for the sharing of certain tax information relating to unemployment benefits		290.61
Comm. of Revenue; to require SSNo or identifying numbers on forms from persons & individuals within the state		270.66
Community Dispute Resolution Center: Files relating to case (Public when a party is charged with criminal offense) (See also special handling for child or vulnerable adult abuse)	Private	13.88 (Ch 654, 1984)
Comparable Work Value: access by exclusive representative of employees to report of male/female dominated classes for which compensation inequity exists and all data not on individuals		471.995 (Ch 651, 1984)
Comparable Work Value: Except as provided by M.S. 471.995, the results of any job evaluation system and reports compiled are personnel data until July 31, 1987	Private	471.996 (Ch 651, 1984)
Computer Programs of government agency which are copyrighted or patented	Nonpublic	13.03 (Ch 436, 1984)
Construction Permits: Applicants name and address and general contractor	Public	15.[illegible]1
Contracted Outside Vendor: Comm. of Revenue may disclose private and nonpublic data to a contracted outside vendor. Vendor shall maintain confidentiality.		290.61 297A.43
Corporate Registration: Annual registration filed with the Comm. of Revenue (Chapter 13 does not apply to this data)	Public	302A.821
Corrections and Detention Data; relating to individuals who are lawfully confined or detained in a correctional or detention facility	Confidential or Private Some Public	13.85
Corrections Commissioner may authorize release of data to probation officers, county welfare boards or other designated persons or agencies for the benefit of the person, inmate or convict		241.06
Corrections Dept.: Data collected by the Commissioner will be in summary form	Summary-Public	241.66
Corrections Ombudsman Data:		241.62
a. Written summary of investigation that identifies individuals	Confidential	
b. Data on clients seeking assistance: Calls, correspondence, client index cards, case assignment data, monthly closeout data	Private	
c. Client name, location and inmate ID	Private	
Corrections Ombudsman, Dept. of Corrections, action against ombudsman: Subject to the provisions of Chapter 13 (Data Practices Act)		241.44, Subd. la
County Home School records are records of the Juvenile Court	Not Public	260.161
County Recorder: Records	Public	386.17
County Surveyor: Survey records	Public	389.02 389.03
Court Adoption Records; relating to names of parents	Private	259.49
Court Reporters Steno Records	Public	486.01
Court Services Data:		13.84
a. Data gathered to determine individual needs including treatment rehabilitation and counseling	Private	
b. Data gathered about an individual, family, marriage, dissolution, chemical dependency and custody	Private	
c. Data gathered in a psychological evaluation	Private	
d. Third Party data provided on condition of confidentiality	Confidential	
e. Probation Data: Progress and other reports and recommendations	Confidential	
f. Data on adult individuals; list of data which is public	Public	
Criminal History Data compiled by the BCA and disseminated through CJIS	Private	13.87

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DESCRIPTION	CLASSIFICATION	CITATION
Criminal History Data; access by Comm. of Public Welfare for licensing day care, foster care and residential facility with informed consent		245.783
Criminal History Data; access by Mn Racing Commission		240.06
Criminal Records: Availability for public employment or licensing purposes (certain criminal records shall not be used)		364.04
Dairy Industry Records: Information contained in reports (Summary data is public)	Not Public	32.19
Data Security System: Comm. of Administration to develop, install and administer to insure confidentiality consistent with public's right to know		16.90
Day Care Licensing: Bureau of Criminal Apprehension, County Attorney, County Sheriff, Police Chief shall assist, with informed consent, the Comm., director of any local licensing agency or other representatives by providing criminal conviction data		245.783
Deferred Assessment Data: Data collected pursuant to M.S. 435.193	Private	13.52
Dept. of Health: Hospital financial reports	Public	144.698
Designer Selection Board of State: reports of unsatisfactory performance of designer	Public	16.826
District Court Records: Judgments	Public	485.06
Domestic Abuse Data: All data collected pursuant to the Domestic Abuse Act, section 518B.01 until a temporary court order is executed or served	Confidential	13.80
Domestic Child Abuse: Reports or records relating to complaints and indictments of criminal and intrafamilial sexual conduct offenses	Open by Court Order	609.3471 (Ch 573, 1984)
Drainage Ditches: Engineer's plats, profiles, records and filed books	Public	106.071
Driver Improvement Clinic: Records relating to alcohol or drug abuse	Confidential	Title 42, CFR Part II
Drivers License Records: Certified abstract of the operating record	Public	170.23
Drivers License, Public Safety: Photographic negatives used for drivers' licenses	Private	13.69
Drivers, Public Safety: Allows physicians to report any condition which significantly impairs patient's ability to drive		171.131
Drug Charges Records: Record retained by the Dept. of Public Safety for use by the courts	Private	152.18
Education Data: Data which relates to a student of a public education agency or institution	Private	13.32
Economic Security Dept.: Information obtained from employers, employing unit or individual pursuant to M.S. 268.03-268.24	Private Nonpublic	268.12
Education Policy, Curriculum Advisory Committee: Activities and reports subject to the Act		123.741
Education, Higher Education Coordinating Board; data on applicants for financial assistance	Private	136A.162
a. Names and addresses	Public	
Elected Officials: Correspondence	Private with options	13.33
Elected or Appointed Officials; financial disclosure statements	Public	13.60 (Ch 436, 1984)
Emergency residential heating grants, Dept. of Economic Security: data on individuals	Private	268.40 Expired 1-2-82
Employee Assistance Program Records	Private	13.43
Employee of Executive Branch shall not use confidential info to further employee's private interests or accept employment or involvement which may require disclosure		43A.38
Employee Relations Data: Data relating to compensation terms & conditions of employment not covered by collective bargaining agreements	Nonpublic	13.67

DESCRIPTION	CLASSIFICATION	CITATION
Employment Agencies: License records	Public	184.25
Energy, Planning & Development Dept: Energy audit data received by dept. in order to arbitrate disputes	Protected Nonpublic	13.68
Energy, Planning & Development Dept: Relating to energy and financial data, statistics or information furnished by a coal or petroleum supplier	Nonpublic	13.68
Energy, Planning & Development Dept; Forecasts, statistics and information	Public Nonpublic	116J.17
Environmental Compensation & Liability; data collected by PCA regarding release or threatened release of hazardous substances pollutant or contaminant	Public Private or Nonpublic	115B.17
Environmental Quality Board Records: Meetings and hearings; books, records, files and correspondence (Also subject to Open Meeting Law)	Public	116C.60
Estate Tax: Books, records, accounts or documents required to be produced shall not be disclosed except as may be necessary for enforcement or collection of the tax	Not Public	291.31
Estate Tax: Unlawful to disclose any information from any report or return required by Chapters 291 (Estate Tax) or 292 (Gift Tax)	Not Public	291.48
Ethical Practices Board: Active investigations (Info which may unfairly injure reputation of innocent individual)	Confidential Private	10A.02
Ethical Practices Board: All lobbyist and political candidate reports	Public	10A.02
Ethical Practices Board: Inactive investigations	Some Private	10A.02
Examination Data	Nonpublic or Public	13.34
Family planning grants, Public Health: information gathered	Private	145.925
Federal Contracts: Data collected by a state agency/political subdivision requiring confidentiality	Private	13.35
Finance & Administration: Relating to the access to records of the several departments and agencies		16A.055
Financial Institutions; Financial records: Access by government authorized only under certain circumstances		13A.02
Financial Records of Financial Institutions received by government authorities are subject to M.S. 13.82, Subd. 5		13A.02
Fire Marshall Records: Records on file except any testimony, correspondence, or other matter taken in an investigation	Public	299F.28
Fire Marshall Records: Statistics about fires	Public	299F.04
Fire Marshall: Arson reporting immunity law, disclosure of information; Insurance Co. to release information to authorized person		299F.054
Fire Marshall: Evidence (See also 299F.054 and 299F.056)	Confidential	299F.055
Fire Marshall: Trade secrets	Not Public	299F.63, Subd. 3
Firearms: Data relating to the purchase or transfer of firearms	Private	13.36
Foster Care Data: Data collected in a community action agency in a study	Confidential	13.53
Franchises: All applications, notices, reports and other documents filed with the Commissioner under section 80C.01-80C.22	Public	80C.22
Franchises: Prohibits disclosure of confidential information by Comm., officers or employees		80C.22
Gambling: Financial records of fraternal, religious, veterans or other nonprofit organizations	Public	349.26, Subd. 13
Grand and Petit Juror questionnaire	Some Not Public	593.47 628.68
Grand Jury Transactions: indictments, evidence	Not Public	628.68

DESCRIPTION	CLASSIFICATION	CITATION
Grand Jury: Entitled to the examination, without charge, of all public records of the county		628.62
Grievance procedures reports - only summary data sent to the Commissioner of Health	Summary-public	144.691
Gunshot Wound Reports: Reports to law enforcement	Not Public	626.53
Hazardous Substances: Commissioner of Agriculture may access all records regarding movement and storage of hazardous substances. Comm. may publish information.		24.40 24.41
Hazardous Waste Generator: Information provided by owner or operator of collection service or waste facility to agency, council and metro counties for which generator claims confidentiality	Nonpublic	473.151
Health Comm.: Info. received by Comm. under M.144.50-144.56 (Licenses, fees, inspections, etc.)	Not Public	144.58
Health Data: Investigation and study of non-sexually transmitted diseases NOTE: May be made public to diminish a threat to public health.	Private Public (limited)	13.38
Health Data: Investigation files relating to sexually transmitted diseases. Data may be released to personal physician or health officer.	Confidential	13.38
Health Data, Students: treated as education data	Private	13.32
Health Dept.: Hospital financial reports	Public	144.698
Health Dept.: Services to expectant mothers	Not Public	144.06
Health Maintenance Organizations; examination by Comm. of Health: info obtained pertaining to the diagnosis, treatment or health of an enrollee or any application obtained from any person shall be confidential	Not Public	62D.14
Homestead Application Data: SSNo and financial data of applicants for class 3cc homestead classification	Private	13.58 (Ch 436, 1984)
Housing Agency Data: Data collected and/or maintained by a public housing agency or housing and redevelopment authority of a political subdivision	Confidential or Protected Nonpublic or Nonpublic	13.54
Housing & Redevelopment Authority & Cities: Names, addresses & legal description of property and, as applicable, commercial use of property collected in a survey	Private Nonpublic	13.59 (Ch 436, 1984)
Housing Finance Agency (Law of 1971): Financial information	Private	462A.065
Human Rights Dept.: Publication of accounts of case	Public or Not Public	363.06
Income of Non-residents: Copies of returns, reports or other info may be furnished to taxing official of Wisconsin		290.081
Inheritance Records: relating to inheritance information		291.29
Inmate Data, Dept of Corrections: Comm. may authorize any facility under his/her control to release to probation officers, county welfare boards, or agencies any data regarding any person, inmate or convict if it will be for the benefit of the person,inmate or convict	Comm. Consent	241.06
Inmate Records, Dept of Corrections: Record of inmates kept by the Commissioner	Comm. Consent or Court Order	241.06
Insurance Agent License: Records of suspended or revoked licenses	Public	60A.17
Insurance Division, Dept. of Commerce: Surplus line insurance data	Private	13.35
Insurance Holding Company System: Information obtained by the Comm. in the course of examination or investigation shall be given confidential treatment (Info. may be made public)	Not Public	60D.06
Insurance: Information disclosed to the Comm. about a notice of termination shall be confidential	Not Public	60A.17
Inter-governmental Information Systems Advisory Council (IISAC): Data collected & compiled	Public	16.911
Interpol-United States National Central Bureau, United States Dept. of Justice; sharing private & confidential data		13.05 (Ch 436, 1984)

DESCRIPTION	CLASSIFICATION	CITATION
Investigative Data: Civil actions		13.39
a. Data on individuals	Confidential	
b. Data not on individuals	Protected Nonpublic	
c. Confidential & Protected nonpublic investigative data may be made public under certain cricumstances	Public	
Investigative Detention Data which reveals informant	Confidential	13.86
Juvenile Alcohol or Controlled Substance Offender; Reports: Any info contained in the reports relating to factors identifying a particular child	Open By Court Order	260.195
Juvenile Probation records are records of the Juvenile Court	Open By Court Order Only	260.161
Juvenile Records: Court records, probation records, county home school	Open By Court Order Only	260.161
Juvenile Records: Legal records as necessary and proper shall be open to the minor and his parent/guardian	Not Public	260.161
Juvenile Records: Peace officers' record not open to public inspection	Not Public	260.161
Juvenile Records: Reports of social histories available to attorneys of record	Not Public	260.161
Labor Relations Information; Mgmt. positions not presented during collective bargaining or interest arbitration or created to prepare management position	Private or Nonpublic or ProtectedNonpublic	13.37
Labor Relations; Director of Mediation Services: All orders and decisions catalogued and filed	Public	179.71
Labor & Industry Dept. Records: Names of persons or businesses supplying information to the Dept. shall not be disclosed	Not Public	175.24
Labor & Industry Dept. Records: Notices, orders, or direction given by the Dept. to employers, labor organizations or other persons shall be public	Public	175.24
Law Enforcement Data		13.82
a. Arrest data	Public or Private	Subd. 2
b. Request for service data	Public or Private	Subd. 3
c. Response or incident data	Public or Private	Subd. 4
d. Inactive Investigation	Public	Subd. 5
e. Active Investigation	Confidential	Subd. 5
f. Contains a provision for withholding public data		Subd. 6
g. Public Benefit Data: A provision whereby Law Enforcement personnel may release classified data under some circumstances		Subd. 7
h. Must make public data available to the public in a reasonable manner		Subd. 8
i. A provision for the protection of identities: Under some circumstances may withhold data		Subd. 9
Law Enforcement Data		13.81
a. Incident complaint reports:	Public	
EXCEPTIONS:		
(1) I.D. of undercover agent, informant, victim of criminal sexual assault or intra-familial sexual abuse.	Private	
(2) Any other data classified by law as private or confidential	Private or Confidential	
b. Arrest warrant indices until person taken into custody, served or appears before court	Confidential or Public	
c. Description of stolen, lost, confiscated or recovered property	Private or Nonpublic	
d. Program data	Confidential or Prot NonPublic	
e. Deliberative processes or investigative technique; final opinion or justification	Confidential Public	
Legislative Auditors: Subject to the Data Practices Act		3.97
Leukocyte Antigens; Registry of persons typed: Name, antigen type and willingness to be a tissue donor	Private	144.336 (Ch 436, 1984)
Library Data: Information that links patron's name with materials or subject matter.	Private	13.40
Licensing Agency may make private or confidential data accessible to an appropriate person if failure is likely to create clear and present danger to public health or safety		13.41
Licensing Data: Data collected by a licensing agency given authority to issue professional or other types of licenses (Does not include welfare licensing)	Confidential or Private or Public	13.41

DESCRIPTION	CLASSIFICATION	CITATION
Lie Detectors (Polygraphs): Results given only to those persons specified by the individual tested	Not Public	181.75 181.76
Liquor License, Retail: Data reported by self-insured person may be reported by the Comm. in the form of summary data	Summary-Public	
Maltreatment of Minors: relating to records maintained by Welfare and Police; availability to the prosecuting authority; disclosure of name of unsubstantiated report.	Confidential or Private	626.556
Maltreatment of Vulnerable Adults: a. Summary Records b. Other Records	 Public Private	626.557
Marriage Dissolution: In contested custody proceedings, welfare agency or court services may conduct investigation and may obtain information from medical, psychiatric or others who have served child (with consent of parent, guardian or custodian)	Court May Seal	518.167
Marriage Dissolution: Investigation & reports of contested custody proceedings; mediation personnel may disclose to investigators information collected during mediation if agreed to by all parties; and mediation proceedings not subject to discovery without written consent of both parties		518.167 (Ch 635, 1984)
Mediation Services Bureau; Representation data: Authorization signature or cards and ballots in support of petition or election (Ch 179)	Confidential Protected Nonpublic	13.75 (Ch 436, 1984)
Mediation Services Bureau: Mediation data received & maintained while providing mediation services in a labor dispute	Confidential	13.75 (Ch 436, 1984)
Medical Assistance for Needy Persons: Medical records obtained by the Dept. of Public Welfare	Private	256B.27
Medical Assistance; Comm. of Public Welfare authorized to examine all personal medical records developed while receiving M.A.	Private	256B.27
Medical data collected, used, etc. by a private health care provider under contract with the Welfare system	Private	13.46
Medical data on driving instructors, licensed drivers or the handicapped	Private	13.69
Medical Data: a. General (See also 144.335) b. Directory Information	 Private Public	13.42
Medical Examiner and Coroner Data: a. Active investigations b. Autopsies & related information c. Death Certificate information	 Confidential Private Public	13.83
Medical Examiners State Board: Communications and information	Not Public	147.01
Medical Examiners State Board: Complaints and malpractice info.	Private	147.073
Medical Malpractice Claims: Insurance Co. report of claims	Private	144.693
Medical Records (See also M.S. 13.42)	Private Confidential (limited)	144.335
Mental Health Center Data: Data on clients & patients of public or private community mental health center or mental health division of counties and other providers under contract	Private	13.46 (Ch 436, 1984)
Mental Health Clinics and Centers: written minutes of team meetings	Private	245.69
Mental Health: Data on individuals collected by an approved Mental Health Clinic, including written minutes of team meetings, is private data within the welfare system	Private	245.69
Motor Vehicle Excise Tax Records: Relating to purchaser's certificate	Not Public	297B.12
Motor Vehicle Registration Records (not furnished by telephone)	Public	168.33 168.34
Municipal Bonds; registration data: owner of municipal obligation	Private Nonpublic	475.55 Laws 1984
Municipal Industrial Development: Information required by Comm. of Energy, Planning and Development from municipality or redevelopment authority upon entering into a revenue agreement	Public	474.01

DESCRIPTION	CLASSIFICATION	CITATION
Municipal Industrial Development: Preliminary information provided to Comm. of Energy, Planning and Development by any municipality for information, assistance and advice	Comm. may make non-public	474.01
Naturalization Records: Relates to access and duplication	Public	Laws 1976 Chap 324
Nonprofit Health Service Plan: request to suspend or revoke a license by corporation or agent shall include statement of facts for cause and shall be confidential	Not Public	62C.17
Nonprofit Legal Service; License for solicitor or agent: statement of specific facts constituting cause for suspension or revocation of license	Not Public	62G.20
Occupational Safety & Health; Trade Secrets: All information reported to Comm. of Labor and Industry in connection with any inspection or proceeding under Occupational Safety & Health Act of 1973	Nonpublic	182.668
Open Meetings	Public with exceptions	471.705
Open Meetings; printed materials relating to agenda items	Public with exceptions	471.705
Pardons Extraordinary: Courts may order the conviction set aside and all records pertinent to the conviction sealed. Records include arrest, indictment information, trial, appeal, dismissal and discharge.	Open By Court Order	638.02
Pardons: Records and all files of board of pardons shall be kept and preserved by the secretary and shall be open to pubic inspection	Public	638.07
Parents Deserting their Children: Access to records about location (Comm. of Public Welfare shall have access to all records of departments, boards, bureaus or other agencies of the state)	Not Public	256.978
Passports: Information in passport files	Private	22CFR 51.33
Personnel Data: Access by labor organizations		13.43
Personnel Data: Covers applicants, current and former employees, volunteers, independent contractors and members of advisory boards or commissions	Private or Public	13.43
Personnel Testing Materials of the State: Relating to test questions and related information	Nonpublic	43.036 (Repealed 1982)
Pesticide Control: Applicant to register pesticide may request confidentiality of info submitted	Nonpublic	18A.23
Pesticide Control: Comm. may reveal info relating to formulas of products to any state or federal agency consulted and at public hearing		18A.35
Pesticide Control: Records/Reports required by Comm. for pesticide dealer and applicator shall be confidential	Not Public	18A.28
Pesticide Control: Trade secrets or financial info supplied to Comm. (may be revealed at a public hearing or in findings of fact)	Nonpublic	18A.35
Pollution Control Agency: Hearings and records; all final records, studies reports, orders, and other documents	Public	116.075
Pollution Control Agency: Hearings and records; any records furnished by owner or operator of air contaminate or water or land pollution sources relating to sales figures, processes or methods or other info.	For Conf. Use	116.44
Pollution Control Agency: Records of owners or operators of air contaminant, or water or land pollution sources which relate to sales figures, processes or trade secrets	Not Public	116.075
Pollution Control Agency: Relating to hearings, transcripts, final records studies, reports, orders, and other documents in final form	Public	116.075
Precious metal license application	Not Public	325F.733
Precious metal record of licenses	Public	325F.733
Presentence Investigations: Alcohol problem assessment in case of motor vehicle violations involving alcohol or chemical usage	Private	169.126
Pre-sentence Investigations: Social History gathered for the court to assist in sentencing decisions; confidential sources	Confidential	609.115 13.84

DESCRIPTION	CLASSIFICATION	CITATION
Privileged Testimony: list of persons who may be compelled to testify		595.02 595.022 595.024
Probate Court/District Court: Records are public; copies	Public	382.16
Professional Corporations: Examination Board has access to all books and records of professional and foreign professional corporations. Information confidential,	Not Public	319A.17
Property Complaint Data: Names of individuals who register complaints concerning violations of law/ordinance concerning real property	Confidential	13.44
Property Tax Refund; Publishing or releasing information on claims: Property tax refund claims filed with the Commissioner	Not Public	290A.17
Prosecuting Authority: Data access for crime victims		13.82
Public Attorneys: Exempt from provisions of the Act. (See also Attorney General Data)		13.30
Public Education Agency or Institution		13.32
a. Law Enforcement records of agency or institution	Confidential	
b. Other data	Private	
c. Directory information	Public	
Public Service Commission: Decisions, transcripts and orders	Public	216B.34
Public Water System Violations, Dept. of Health: Public notice of violations, variance or exemption	Public	144.385
Public Welfare Dept: Welfare records		
a. General	Private	13.46, Subd. 2
b. Investigative	Confidential	13.46, Subd. 3
c. Licensing Data	Private	13.46, Subd. 4
d. Medical Data: Contracts	Private	13.46, Subd. 5
e. Other data not data on individuals	Public	13.46, Subd. 6
f. Security Data	Nonpublic	13.46, Subd. 6
Public Welfare: Welfare data may be shared with an appropriate party in connection with an emergency to protect health and safety		13.46, Subd. 2 (Ch 579, 1984)
Railroads: Confidential information provided to the Comm. of Transportation under the Rail Service Improvement Act	Not Public	222.54
Real Estate Taxes: Objection, defenses, trial of issues; assessor's records shall be made available to petitioner for inspection & copying. Not excluded on the grounds that the info is confidential.		278.05
Recycling of Solid Waste; Package & Containers: Except as necessary for a public hearing, samples and information which would effect competitive position of a person	Not Public	116F.06
Revenue data; Dept. of Revenue	Protected Nonpublic	13.70
Revenue Dept.: Informant data	Confidential	13.70
Revenue Recapture Act; Data privacy: relating to the sharing and disclosure of information	Confidential or Private	270A.11
Rural Credit Records of Comm. of Natural Resources	Public	46.22
Rural Development & Finance Authority: preliminary information required by Comm. of Energy, Planning and Development to authorize project	Not Public	362A.06
Salary Benefit Survey Data: Data purchased from consulting firms, non-profit corporation, association or employees	Nonpublic	13.45
Sales tax reports prepared for the State Dept. of Revenue	Private Nonpublic	297A.43
Savings & Loan Association: Access to records by Commissioner	Not Public	51A.11
School Districts or Board: Records, books, papers subject to inspection by any voter of the district	Public (limited)	123.66
School Districts: Health and development screening programs data collection, access with consent of parent or guardian	Private	123.704

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DESCRIPTION	CLASSIFICATION	CITATION
School Districts; Educational Policy: district education policy reports of annual evaluation, including summary test results and the plans for school improvement	Public	123.741
School Law Enforcement: Records of law enforcement unit of public education institution maintained apart from education data.	Confidential	13.32
Sealed Absentee Ballots: Prior to opening	Nonpublic	13.37
Sealed Bids: Prior to opening	Nonpublic	13.37
Securities Regulation: all info in or filed with any registration statment, application or report is public unless Commissioner of Securities and Real Estate grants confidential treatment	Public Not Public	80A.26
Securities Regulation: register of all applications for registration and registration statements	Public	80A.26
Security Information	Private Nonpublic	13.37
State Archives (MN Historical Society): a. shall have access to gov't records regardless of classification		138.17
b. With certain limitations as determined by State Archives all records transferred to the archives shall be public.	Public	138.17, Subd. 1d
Student Health Data: Treated as education data	Private	13.32
Summary Data derived from data on individuals classified as not public and not classified by temporary classification, statue or federal law	Public	13.05 (Ch 436, 1984)
Tax Returns: With certain exceptions, it is unlawful for the Comm. of Revenue or any public official or employee to disclose info concerning taxpayers affairs	Not Public	290.61
Taxes, Federal; confidentiality of tax return	Not Public	USC, Title 26 6103
Teacher's records; all evaluations and files generated within a school district shall be made available upon written request		125.17
Trade Secret Information	Private or Nonpublic	13.37
Transient Merchant records of County Auditor	Public	329.11
Transportation Dept.: Orders, records and files	Public	161.09
Transportation Dept: Relating to the estimates of the cost of construction projects	Nonpublic	13.72
Transportation Dept; data relating to certain info of the rideshare program.	Private	13.72
Veterans Affairs Dept.: Records	Private	196.08
Veterans Affairs: Identity of veteran about whom information has been received under the Agent Orange Information and Assistance Act (Summary data derived from info is public)	Private	196.25
Veterans Service Officer: Records	Private	197.603
Veterinarians: List of licenses	Public	156.06
Vital Records, Birth and Death: Open to inspection by Comm. of Public Welfare		144.225
Vital Records, Dept. of Health, access	Public (with limitations)	144.225
Vital Records: Births out of wedlock, disclosure of information	Not Public	144.225
Voter Registration Lists	Public (limited)	201.091, Subd. 4
Waste Management Legislative Commission: Availability of data from state agencies subject to Chapter 13 and section 15.17		115A.14
Waste Management; Legislative Committee on Waste Mgmt: Comm. may request information from any state officer or agency subject to Chapter 13 & 15.17		115A.14
Waste Management; Waste Management Board: data held by board which is trade secret information	Nonpublic Private	115A.06
Water Wells and Exploratory Boring: Data submitted to Comm. of Natural Resources which would impair competitive position	Not Public	156A.071

DESCRIPTION	CLASSIFICATION	CITATION
Water Wells and Exploratory Boring; Emergency notification: data examined by Comm. of Health regarding potential adverse health or environmental effects	Not Public (Limited)	156A.071
Water, Soils, Minerals: reports by well drillers to director of division of waters	Not Public	105.51
Wills for Safekeeping	Not Public	525.22
Will, International: Information regarding execution of international will	Private Until Death	524.2-1010
Workers' Compensation: Reports of death or injury sent to Commissioner Dept. of Labor & Industry	Not Public	176.231
Worker's Compensation: Reports of death or injury sent to union representing		181.80
Workers' Compensation: Self insurance data	Nonpublic	13.73
Workers' Compensation; Access to medical data by employee, employer, insurer, or Dept. of Labor and Industry	Private	176.138
Workers' Compensation; Records from other state agencies: Comm. of Labor & Industry may obtain names or lists of employers doing business with the state		176.186

FINIS

Computer Matching

The Department of Labor report lists only two "matches" in Minnesota, both of which fall outside the working definition of "matching" in this study.

The Department of Employment Security uses Internal Revenue Service computer tapes of new employers to run against its list of employers filling unemployment tax returns, to determine which new companies are not paying taxes. Unlike the data used in the other matches described in this study, the data compared in this procedure was gathered for compatible purposes. Both the IRS list and the Employment Security list were compiled from information provided for tax-reporting purposes. Nor does the match involve an exchange of personal data; nor an exchange across agency lines, like other matches described in this report.

The second match is really an "intercept," in which unemployment benefits are offset by delinquent child support payments.

There are other matches currently being conducted, according to the Department of Revenue. It matches lists of state vendors against lists of delinquent taxpayers, on the theory that persons owing the state money should not be able to sell products and services to it.

Persons who register boats with the state are matched against the taxpayer master list, to discover non-filers. Department of Motor Vehicles lists of individuals with particularly expensive automobiles are run against the master taxpayer list as well. The department regularly runs lists of professionals (real estate brokers, attorneys, physicians, etc.) from the state boards responsible for licensing against its master taxpayer list. The department uses Dun and Bradstreet's list of corporate families to compare with its consolidated corporate filings.

Certain Minnesota taxpayers are entitled to a refund on their property taxes, based on their income. The state matches these refund recipients with localities' property tax lists to make sure they have not had their taxes later abated.

In another "intercept" (called "revenue recapture" in Minnesota), tax refunds of persons delinquent in child support or in welfare restitution can be withheld.

New York Pop. 17.56 million, ranks 2nd

Personal Privacy Protection Law, N.Y. Pub. Off. Law sec 91

Robert J. Freeman, Executive Director
Committee on Open Government, Department of State
518/474-2518

New York's privacy protection grew in stages. And, more than any of the nine other federal and state privacy laws in the nation, New York's resembles the European model, with a strong "data protection commissioner" and a system of registration for all data gatherers within the government.

Unlike any of the other privacy laws in the nation, New York's grew out of freedom-of-information legislation, not out of the Code of Fair Information Practices devised by the U.S. Department of Health, Education and Welfare in a 1973 task force report. New York's Freedom of Information Law, patterned after the federal law, was passed in 1974, the same year that Congress approved significant amendments to the federal law. N-1) New York's law created a Committee on Public Access to Records with seven members appointed from the general public and from within the government. Its job was to advise state agencies on FOI through guidelines, opinions, and regulations and to make sure the law worked as intended. New York's FOI law was amended itself four years later. N-2) At that time, citizens in the state gained the right to see information in state and local government files -- both information referring to them by name and other, non-personal information. At this point, New Yorkers joined the citizens of eight other states in having such a right. However, unlike the residents of those other eight states, New Yorkers did not have a right by law to amend or correct their records, nor did they have a way of discovering just what personal data banks there were in Albany. The latter deficiency was remedied in 1980. Aided by New York Civil Liberties Union lobbyists, the legislature passed a law requiring each state agency to prepare a public notice of its systems of records with personal information in them. N-3) (This requirement is similar to one in the federal Privacy Act.) The notices were to be submitted to the Committee on Public Access, which in turn was to submit a compilation of notices to the governor and the legislature. Then, in 1983, the legislature passed the Personal Privacy Protection Law, which added a right of correction and an expectation of confidentiality (except in 14 instances when personal data may be disclosed). N-4)

The NYCLU was again active in lobbying for the bill, and this time it was torn between lodging significant enforcement powers in the Committee on Public Access (now renamed the Committee on Open Government), whose director, Robert J. Freeman, the NYCLU had come to admire, or decentralizing enforcement powers so that the effectiveness of the act would not be weakened if Freeman were eventually replaced by a weak (or less access-oriented) successor. N-5)

Freeman's reputation for successful implementation of the Freedom of Information Act was very much on the minds of the legislators drafting the privacy law in the late spring of 1983. They decided to vest significant powers in an "access czar" like the data commissioners in West Germany, Sweden, Austria, and Norway because Freeman had exercised his powers effectively in the past.

The committee, with Freeman as its director, must be notified whenever a state agency establishes a new system of records or "substantially modifies" one. Further, before establishing any new system of personal records, an agency must file with the committee "a privacy impact statement" as prescribed by the committee. (No other state has this requirement.) The committee may review the impact statement and then declare that the proposed system is not within "the lawful authority of the agency." The committee can make sure the agency has proper rules and regulations covering the system (but it apparently cannot prevent the system from being established anyway). Upon request of a citizen, the committee can investigate a denial of individual access by a state agency. It can demand information from an agency about its data collection. And it can issue an advisory opinion. The committee each December is to report on its activities and findings to the governor and the legislature, including its recommendations for changes in the law. The committee is authorized to promulgate model guidelines for compliance (and did so April 6, 1984). The committee is also directed to publish a directory of data systems and to sell it to the public. (This has not yet been done.) N-6)

The committee's 1981 summary of records systems listed 1776 systems of records in the state bureaucracy with 10,942 categories of personal information. There was specific statutory authority for about half of the systems, and information from nearly half the systems was disclosed to other agencies or outsiders. N-7)

There is no counterpart to the committee and its responsibilities in any other state or the federal government.

Because the (now 11-member) committee is made up of six public members (two of whom must be news media representatives) and five state employees with other full-time responsibilities, the committee in fact acts in the person of its director. "I really have a position with no boss," says Freeman, without a touch of arrogance. He says this stems from trust placed in him by his first boss when he began his freedom of information work, Mario Cuomo, who was then Secretary of State and is now Governor. The committee approves Freeman's annual report and general policy, but not Freeman's advisory opinions or investigations. N-8)

The staff includes only the director and an attorney and two clerical assistants. The committee staff is housed in the Department of State, but really reports to the governor, the legislature, and the public. N-9)

Freeman, himself an attorney, issued some 600 opinions in calendar 1984, all of them on freedom of information and open meetings issues, not privacy protection. They are advisory, not binding. But they carry persuasive weight, and an aggrieved person can use a Freeman opinion in court to bolster his or her argument. Freeman estimates that in nine out of ten cases when his opinions are used in court, his view is the prevailing one. Freeman, under FOI and the open meetings laws, has even cross-indexed his opinions, much like a one-man court or regulatory agency. N-10)

He has not yet issued opinions under the privacy law, which became fully effective in September 1984. His 1983 annual report devoted all but one partial page to FOI and open meetings, not privacy. N-11) When he describes his operation, Freeman's emphasis clearly is on open access, not on restraining disclosures of information. His committee is oriented towards freedom of information, not privacy. N-12) (Freeman disputes this.) Freeman does not think that privacy and FOI compete for attention in his office; in fact he thinks it is logical that the legislature placed privacy protection responsibility in the office with freedom of information responsibility. (Most federal agencies combine these functions, but no other state does.) When he speaks of the new privacy law, he speaks usually about citizen access to information and not so much about preventing disclosures of individual information. His first recommendation about possible changes in the privacy law was to suggest that it permit the state archives to release personal information. The law permits any agency to release personal information to a "public archival facility," but prohibits further release by the archives itself. This is "an inconsistency," Freeman said in his 1983 report. N-1

Freeman also thinks that the use of Social Security numbers, perhaps in violation of the federal Privacy Act, is "a major problem" that must be faced by state policymakers. His recognition of the issue illustrates the personal, and highly visible, way in which he pursues his task. When borrowing a car from the state motor pool, he was asked for his Social Security number. "They don't need it," he said. He then traced the request back to a form issued by the Department of General Services. This leads him to believe that many state agencies ask for the number without need or authorization. N-1

He personalized his 1981 14-page statistical report on systems of records by describing 13 instances in which the director himself was most likely listed in a state data bank. N-1 He writes a question-and-answer column in a regular Department of State publication and freely talks to the press all over the state and is available as a resource for the press. When he issues advisory opinions, especially to the remote 10,000 units of local government to which the freedom of information law (but not the privacy law) applies, he is aware that the names of "big shots" on his letterhead -- the members of the committee -- lend credence to the document. "Some of those fire districts and towns think we have a huge office here," he notes. N-1

Data Collection

The Committee on Open Government is directed by law to publish a directory of data systems, but this has not yet been done.

Testimony before a U.S. Senate oversight committee in 1982 by the deputy commissioner of Social Services provided a notion of the information gathering in the Department of Social Services alone. N-1 The Welfare Management System (WMS) had then 5,000 terminals and printers in welfare offices throughout the state, all connected to a central computer in Albany for on-line linkage with the central data base. The Medicaid Information System (MMIS) processes 80 million Medicaid claims each year (with a ten-day turnaround). The Wage Reporting System (WRS) was established to provide a means to check benefits received by public assistance clients against wages paid by employers throughout the state. Most states, as mentioned earlier, established quarterly reporting to administer unemployment insurance programs; New York State seems to have established quarterly reporting solely to conduct welfare matches. The department has "a myriad of other systems covering child welfare, child support enforcement payments, fair hearings, etc." according to testimony by Peter M. Wynn, deputy commissioner for administration, New York State Department of Social Services. N-18)

These systems were created for better management. But, as Wynn pointed out, "An ancillary, but very real benefit, is that these systems produce the computer files which allow for inexpensive, highly automated tape matches." N-19)

In 1972, New York joined Illinois and California to use massive data collection in an attempt to attack drug abuse. New York created a drug reporting system similar to those in California and Illinois, in which physicians must submit to the State Department of Health one copy of a triplicate form whenever they prescribe certain drugs. This resulted in 100,000 prescription forms arriving at the department each month (in 1972). This computerized data collection was challenged in federal court as an invasion of privacy. The U.S. Supreme Court upheld the reporting scheme in a 1977 decision. N-20)

The State Department of Housing and Community Renewal maintains a data bank on 1.1 million persons renting property in the state. The enabling legislation states that the data is not subject to the states open records law, and is available only to a tenant, owner, lessor, subtenant, or authorized representative. N-21)

For the 1976-1977 report of the National Association for State Information Systems, New York compiled a listing of its computer applications at the time. That list follows: N-22)

Abandoned Property — Audit and Control
Accident Statistics — Motor Vehicles
Accounting — Audit & Control, Research Foundation; H&HM.H. Fac.; Transportation, SUNY Central
Accounting Systems for Corporation Tax, Withholding Tax, Estimated Tax and Fuel Tax — Taxation and Finance
Activity Reporting — Public Service Commission
Actuarial Valuation System — Insurance
Administrative Adjudication — Motor Vehicles
Adoption Exchange — Social Services
Air Pollution Report Programs — Environmental Conservation
Air Pollution Monitor System — Environmental Conservation
Air Resources — Environmental Conservation
Air-Water Monitoring System — Health
Annuitant System — Teachers' Retirement
Applications for College Admissions — SUNY
Apprentice Training — Labor
Appropriation Accounting — Social Services; HMHFIC
Asset Depreciation System — Mental Hygiene
Automated Personnel and Position Reporting System (MIS) — Civil Service

Basic Education Data System — Education
Basic Educational Opportunity Grant Reporting — SUNY Central
Biomed Statistical Packages — Education
Blood Inventory Control System — Health
Bonded Debt Management — Audit and Control
Bridge Engineering Sub-System for TIES (BEST) — Transportation
Broker Directory System — Insurance
Budget Roster and Report Systems — SUNY
Building Design and Construction Reporting System — Office of General Services

Campsite Utilization — Environmental Conservation
Campus Facilities Inventory — SUNY Central
Campus Information System — SUCF
Capital Construction Billing System — M&MH Fac.
Capital Construction Project Control System — Budget
Capital Finance Accounting — State University Construction Fund
Capital Projects — Transportation
Car Pool Origin and Destination — Transportation
Carrier Assessment and Reimbursement System — Workmen's Compensation Board
Carrier Performance — Workmen's Compensation Board
Cash Management — Audit and Control
Census and Enrollment — Education
Census Summary Tape Processing — Tri-State Regional Planning Commission
Checkwriting — State Insurance Fund
Children-Under-Care Survey and Other Child Welfare Statistics — Social Services
Commissary Accounting — Correctional Services
Communications Toll Billing System — Office of General Services
Community College Reporting System — State University Construction Fund
Compensated Cases Closed — Workmen's Compensation Board
Construction Market Evaluation Technique — SUCF

Consultant System — Insurance
Contract Payment Analysis — State University Construction Fund
Corporation Tax Return Processing System — Taxation and Finance
Cost Accounting — Labor
Cost Distribution — Mental Hygiene; Office of General Services
Cost of Service Energy — Public Service
Cost Step Down — Mental Hygiene
County Inquiry System (CIS) — Office of Planning Services
Course and Section Analysis of College Classes and Schedules — SUNY Central

Daily Activity Report — Agriculture and Markets
Direct Response — Commerce
Disability Benefits Insurance, Accounts Receivable for — State Insurance Fund
Discriminations, Frequency Tabulations of Alleged — Human Rights
Disposition of Criminal Cases in NYS Courts — Office of Court Administration
Driving Licensing and Control — Motor Vehicles

Economic Analysis — Equalization and Assessment
Employability Status Report — Social Services
Employee Payroll System — Teachers' Retirement
Employment Security Automated Reporting System — Labor
Employment Statistics — Labor
Enrollment Trends and Degrees Granted — SUNY Central
Equalization Rate Computation — Equalization and Assessment
Equipment Design — Punch-Log System H&MH Fac.
Equipment Management System — Environmental Conservation
Equipment Management — Transportation
Equipment Specification System — SUCF
Examination Scoring — Civil Service, Insurance Department
Experience Reporting — State Insurance Fund

Facility Interest Profile System — Research Foundation/SUNY
Financial Administrative System — SUNY/B — Labor
Financial Information System — TRS
Finaicial Management System — SUCF
Fingerprint Search, Automated — DCJS
Fleet (Vehicle) Accounting and Inventory — State Police
Fleet Management — Office of General Services
Flood Frequency Analysis — Transportation
Foreign Trade Referral System — Commerce
Forest Inventory — Environmental Conservation
Fradulent Check Module — DCJS

Gas Complaints — Public Service Commission
Gas Meter Testing — Public Service Commission
Government Procurement Referrals — Commerce
Grant Accounting System — DCJS
Grant Payments System, Local Services — DACC
Grants Information System — Research Foundation

Health Insurance Enrollment and Claims Processing — Civil Service
Higher Education Data System — Education
Highway Maintenance Inventory System — Transportation
Historic Site Inventory — Parks and Recreation

Imagine Processing and Pattern Recognition – SUNYA
Income Tax Return Processing – Taxation and Finance
Index File (Central) of Individuals Seeking Post Conviction Relief – Office of Court Administration
Indictment Statistical System – DCJS
Industrial Facilities Study File – Commerce
Industrial Migration Study – Commerce
Industries and Utilities – Equalization and Assessment
Information File of Attorneys in Personal Injury Cases in New York State – Office of Court Administration
Information File of Persons Appointed by the Courts – Office of Court Administration
Information Network (NYSPIN), New York Statewide Police – State Police
Information Retrieval on Medical and Education Data – SUNY Central
Inmate Fund Accounting – Correctional Services
Inmate Information System – Correctional Services
Inspection Scheduling System – Agriculture and Markets
Inspector Activity Reporting System – Agriculture and Markets
Insurance Statistics – OGS
Integrated Accounting – Transportation
Interim Medical Assistance Reporting System – Social Services
International Math and Statistics Library Programs (IMSL) SUNYA
Inventory – Thruway
Inventory of Computers, Statewide – Budget
Inventory of EDP Personnel, Statewide – Budget
Inventory of Tabulating, Teleprocessing and Data Conversion Equipment, Statewide – Budget
Inventory System – Audit and Control
Investment System – Teachers' Retirement
Investments – Audit and Control
Item and Test Analysis – Education

Job Accounting System, PACES – DACC
Job Matching and Placement – Labor

Kidney Disease Institute Recipient/Donor Program – Health

Laboratory Information Management System – Health
Land Use and Natural Resources Inventories System (LUNR) – Office of Planning Services
Land Use Inventory, State Parks – Parks and Recreation
Land Use Inventory and Land Use Modeling – Tri-State Regional Planning Comm.
Legislative Bill Retrieval System – Senate and Assembly
Library Circulation Control – SUNY Central
Library Systems (5) – Education
Licensing Bureau System – Insurance
Licensing of Trades – State
Licensing System – Agriculture and Markets
Life Insurance – Civil Service
Loans – Teachers' Retirement

Mailing List System – Environmental Conservation, Audit and Control, Agriculture and Markets, OCA
Management Information System – H&MH Fac.
Manpower Information Resources System – DACC
Mapping Systems, Grid Coordinate – Tri-State Regional Planning Comm.
Mass Appraisal Development – Equalization and Assessment
Master Business Records File – Commerce

Master Lists, etc. – Agriculture and Markets
Medicaid Statistics, 1% Statewide Sample – Social Services
Medicare Part B Insurance Premium Claim System – Social Services
Member Information System – Teachers' Retirement
Member Time and Activity Reporting – State Police
Mental Hygiene Family Care – Social Services
Minor Civil Division Information System (MCD) – Office of Planning Services
Minor Rehabilitation and Repair Information System – SUCF
Mortality Studies – Public Service
Mortgage Application – Teachers' Retirement
Mortgager, Accounting and Control – Teachers' Retirement
Municipal Affairs – Audit and Control

Name, Searching, Automated – DCJS
National Drug Code Directory – Social Services
Natural Gas Utilization Survey – Public Service Commission
Non-Compensated Cases Closed Reporting – Workmen's Compensation Board
Non-Public School Data System – Education

Office Equipment Inventory System – SUCF
Oil, Gas and Water Well Study – Education
On-Line Data Entry System – DCJS
Operating Budget Control – SUCF
Outdoor Recreation Facilities Inventory – Parks and Recreation

Paces Report – Public Service Commission
Parking Listings – OGS
Patient Accounting Systems (2) – DACC
Patient Information – Mental Hygiene; DACC; Correctional Services
Payroll – Audit and Control; Labor, Thruway, HMHFIC; Research Foundation
Payroll Roster – Environmental Conservation
Personal Service, Mental Hygiene Institutions – Budget
Personal Service, Schedule B – Budget
Personnel – National Guard; Military & Naval Affairs; Research Foundations; Labor, State Police; Health; Social Services; Transportation; Agriculture and Markets, DACC; SUNY Central
Personnel Administration – COBOL/DMS-1100 – SUNY B
Personnel Attendance System – Education
Personnel Eligibility Lists – Audit and Control
Personnel Information and Payroll System – Teachers' Retirement
Personnel Roster and Vacancy Report – Social Services; Labor; Audit and Control; EDUC; DACC
Personnel Staffing Status System – Mental Hygiene
Pesticides Reporting – Environmental Conservation
Pharmacy Dispensing System – DACC
Power Complaints – Public Service Commission
Power Consumption and Cost Analysis Study – Public Service Commission
Power Rate Structure Validity Study – Public Service Commission
Prices, Compliance With Law Pertaining to Increase and Decrease In – State Liquor Authority (ABC)
Professional Licensing – Education
PROMIS (Personnel Resources On-Line Management Information System) – Motor Vehicles
Property Records – Public Service Commission
Public Communication Summary – Assembly
Pupil Evaluation Program – Education
Purchase of Services Cost Allocation – Social Services

Quality Control – Social Services

Railroad Ceiling and Special Franchise Computation – Equalization & Assessment
Rapid Inquiry and Data Entry via Visual Display – Motor Vehicles
Real Property Information System – Equalization and Assessment
Real Property Inventory – State University Construction Fund
Records Management – OGS
Regents Scholarship Administration – Education
Regents Scholarship Examination Processing – Education
Registry of the Blind – Social Services
Reimbursement Billing – Mental Hygiene; DACC
Reproduction Services – OGS
Research and Development – Environmental Conservation
Retirement Accounts – Audit and Control
Retirement Application Processor – Teachers' Retirement
Road Engineering, Computer Assisted Design for (CADRE) – Transportation

Safety Officers Reporting System – Mental Hygiene
Sales Tax Return Processing – Taxation and Finance
Sample Reporting System – Agriculture and Markets
Senate Journal System – Senate
Social Security Payment Information System – Social Services
Social Services Information System – Social Services
Solid Wastes – Environmental Conservation
Space-System for Planning and Constructing the Environment –SUCF
Special Sporting Licensing – Environmental Conservation
Sponsored Funds Administration System – Research Foundation/SUNY
Sporting Licensing Analysis – Environmental Conservation
State and Federal Aid – Education
State Data Exchange – AABD – Social Services
State Pollution Discharge Elimination System – Environmental Conservation
Statistical Analysis of Data – Transportation
Statistical Analysis of Data for Empirical Research – Youth
Statistical Programs for the Social Services (SPSS), written in FORTRAN – SUNYA; EDU
Statistical Survey – Agriculture and Markets
Statistical System (various) – Office of Court Administration
Statistical Systems for Tax Processing and Accounting Systems – Taxation & Finance
Status Reporting – HMHFIC
Stock and Furniture Inventory – Transportation
Student Administration and Registration System – COBOL, SUNY/B
Student Loans Accounting – SUNY Central
Study of Air Pollution of Power Impacts – Public Service Commission
Summary Case History – DCJS
Supplemental Benefits Reimbursement System – Workmen's Compensation Board
Supply Support System – Mental Hygiene
Surplus Food Distribution and Billing System – OGS
Surplus Real Property – OGS
Surveys, Miscellaneous – Education

Tax Accounts Receivable System – Taxation and Finance
Telephone Complaints – Public Service Commission
Telephone Quality of Service – Public Service
Telephone Rate Cost Component Analysis – Public Service Commission
Telephone Service – Public Service Commission

Telephone Service Rating — Public Service Commission
Telephone Survey System — Public Service Commission
Time Accrual System — Agriculture and Markets
Time and Activity System — Environmental Conservation
Time Distribution System, Billing for Federal Chargeback — Law
Toll Transaction and Revenue Auditing, and Commercial Charge Account Billing — Thruway
TOPICS — Transportation
Traffic Estimation System, Director — Tri-State Regional Planning Comm.
Traffic Summons Accounting — State Police
Traffic Volume Assignment — Transportation
Travel Surveys (Home Interview and Truck-Taxi) — Tri-State Regional Planning Comm.
Truck Tax Permits and Plates Registration System — Taxation and Finance

Unemployment Insurance, Payments and Tax Accounting — Labor
Urinalysis Reporting System, Automated — DACC
Utility Data Bank — Public Service Commission

Valuation System — Teachers' Retirement
Vehicle Registration — Motor Vehicles
Vital Information Record System, Automated (AVIRS) — Health
Vocational Rehabilitation — Education
Voting Summary — Senate

Walk-in Examination System — Insurance
Wanted Persons Module — DCJS
Water Company File — Public Service
Water Pollution Reports — Programs — Environmental Conservation
Water Pollution Monitor System — Environmental Conservation
Water Resources — Environmental Conservation
Weather Normalization Studies — Public Service Commission
Welfare Recipients, Maintenance of Statistics on — Social Services
Wildlife Survey — Environmental Conservation
Work Incentive Program, Maintenance of Status of People in (WIN) — Social Services
Work Performance Analysis on Local District Personnel, Preparation — Social Services
Workmen's Compensation Claims Recording — State Insurance Fund
Workmen's Compensation Insurance, Accounts Receivable, etc., for — State Insurance Fund

Computer Matching

According to testimony in 1982 by Peter M. Wynn, the Department of Social Sciences conducts the following matches: N-

The Welfare Management System match compares recipient files in 57 counties and New York City to detect persons who have filed for benefits in more than one county.

The department "daily, monthly, and quarterly" matches public assistance files against wage reporting data on 8 million workers submitted to the Department of Taxation and Finance.

The department also compares its client file against the master file of unemployment insurance beneficiaries. It runs its public assistance files against the state payroll to identify state employees receiving public assistance. Each month the public assistance client file is submitted to the Social Security Administration to determine (1) data on current earnings, (2) persons receiving Supplemental Security Income, and (3) persons receiving retirement benefits. This is done through BENDEX, Beneficiary and Earnings N- Data Exchange System, which the Social Security Administration makes available to state agencies for computer matches. (BENDEX provides wage information to those states that have no quarterly reporting requirement.) Aid to Families with Dependent Children (AFDC) and Food Stamp programs are required to run BENDEX matches. BENDEX is also available to state unemployment insurance agencies. For matches, BENDEX can make available personal data on pensions, survivors and disability payments, Supplemental Security Income (SSI), Medicare, Black Lung benefits, and Railroad Retirement, as well as current earnings of employees.

The Department of Social Services maintains a registry of 200,000 N- persons "indicated" by the department for child abuse or neglect. "Although strict confidentiality requirements were included in the original statute, these have been eroded over the past few years by amendments which create access rights for various purposes. The most recent such amendment was enacted this year. It allows (and in New York City requires) day care centers to check applicants and employees against the register. In the city, anyone who has been the subject of an "indicated" file during the last ten years must be immediately terminated or refused employment. This procedure, instituted this fall in the wake of a sex abuse scandal involving day care workers, will ultimately affect 90,000 child care-related workers in New York," according to Norma Rollins, associate director of the New York Civil Liberties Union.

Periodically, the New York Social Services client files are matched against lists of deceased persons recorded in the Bureau of Vital Statistics. The department also conducts matches with Blue Cross of New York and with the welfare department in New Jersey. It has experimented with matches of bank account information provided by financial institutions. N-26)

New York also has a program to intercept tax refund checks to persons who may owe the state money. N-27)

Robert Freeman thinks he was able to "blow the whistle" on a proposal by the Higher Education Services Corporation to match its records with employment records in the tax department and unemployment compensation records in the Department of Labor. The corporation wants to check on those who have defaulted on the agency's student loans, and it sought legislative authority. As an advisor to the governor and to the legislature, Freeman was asked for his opinion. He recommended against it, saying that legislative change was not worth the possible infringement on privacy. No action has been taken on the proposal. N-28)

Texas Pop. 14.23 million, ranks 3rd

No Fair Information Practices Act

Privacy Protection

The state of Texas has a large and decentralized collection of computer operations -- 120 different data processing divisions in all, with 115 different computer systems. In an effort to manage this computing power, T-1) an Automated Information Systems Advisory Council was created in 1982. The data processing personnel in the large state departments serve on the council. Thus far, the council has attempted to plan information technology, to review procurement practices, and to review the data processing budgets of the various state agencies. It has drafted guidelines for system users and disaster recover plans. "We are getting around to considering the security of systems," according to the executive director, Charles K. Winston, Jr., "and there may be some consideration of privacy involved in that." T-2)

Texas has the second largest inventory of computer units among the states, from 58 in 1980 to 115 in 1983. Still, there is no privacy pro- T-3) tection in state law or in regulations -- no right by law of an individual to inspect his or her records nor to prevent the disclosure of personal information by a state agency. From time to time an Attorney General's Opinion will rule whether certain information is releaseable, but there seems to be no methodology for informing those responsible for data collection. "This is a void that needs to be filled. There is an underlying need for a privacy act," says a systems analyst in the Department of Highways and Public Transportation. Instead, personal records in Texas are governed by the Texas T-4) Open Records Act. The emphasis of the act, of course, is open access to T-5) state information (and not correction of it nor protection of its confidentiality), although the Texas Supreme Court has ruled that information which, if released, would violate the common-law privacy rights of an individual is exempt from mandatory disclosure under the open records law. Still, this T-6) does not prevent discretionary release. Data collected by the insurance commissioner is governed by a separate statute. Further, Texas law says that except T-7) for purposes directly connected with the administration of the Department of Human Resources assistance programs, it is an offense to disclose client or applicant information from the department's files. A separate law requires T-8) the department to establish restrictions on the use or disclosure of information about clients or applicants.

Texas has not been without controversy in this area. Over objections of civil libertarians, the state legislature in 1981 enacted a new wiretapping law that authorized breaking and entering, under certain circumstances to install electronic surveillance in drug investigations. (The statute essentially matched current case law.) Advocates said that the law would not

be abused because it was limited to cases of suspected felonies committed
under the dangerous drug acts. What concerned the civil libertarians,
however, was that 27 days after approving the wiretap law, the legislature
passed a law that requires prescriptions for certain drugs, including mor-
phine and codeine, to be completed in triplicate and one copy filed in the
Department of Public Safety's computer system. The triplicate form requires T-9
patient's name, address, age, physician, and pharmacist. (The U.S. Supreme
Court upheld a similar requirement in New York State in 1977, but in New
York the drug information goes to the Department of Health, not the police.) T-1
Opponents of the new wiretap law fear that the computer records compiled by
the Department of Public Safety will provide justification for installing
wiretaps, with or without a trespass. T-1

Data Collection

In 1974, the Governor's Office of Information Services supported a
proposal for a Recipient Index of all Texans receiving any kind of health or
welfare benefit from the government. The index would include name and other T-1
identifier (Social Security number in most instances), sex, race, and date
of birth, name of the agency providing the benefit and dates of application
or eligibility. The agencies involved were the Texas Rehabilitation Commission, the Commission on Alcoholism, the Commission for the Blind, the Department of Human Resources, the Department of Health, the Department of Mental Health and Mental Retardation, the Central Education Agency, the Texas Employment Commission, and the college and university system. Faced with public opposition, the governor asked the attorney general for a legal opinion. That same year, the attorney general had ruled, "Our office has previously recognized the need to maintain an unrestricted flow of information between state agencies... Information which is not required to be disclosed to the public under the [Open Records] Act can still be transferred between State agencies without violating its confidentiality or destroying its confidential character." On the basis of that the attorney general ruled that the Recipient Index "does not violate any federal or state common law, statutory, or constitutional right of privilege [sic]," except where the mere listing of a person might reveal confidential information as in the case of venereal disease
records. The index, however, was never created. T-1

An equivalent of the Recipient Index, however, has been operative since 1977. It is the System for Application Verification Eligibility Reports and Referrals (SAVERR), a system of nearly three million active and inactive social services clients, as well as applicants denied in the past 36 months. T-14) It is accessible statewide through 2000 visual display terminals in Department of Human Resources offices and in the offices of subcontractors who process benefits. It includes data on 621,000 persons eligible for Medicaid, 337,000 recipients of AFDC, and 1.3 million recipients of Food Stamps. Each client is listed once, with biographical information and a code to indicate which program or programs the individual participates in. SAVERR provides a capability for Texas to search the system by name or by Social Security number to determine whether a particular individual is receiving benefits, as Texas did recently at the request of the state of Michigan to investigate whether a person accused of massive fraud in Michigan was receiving checks from Texas. (She was not.)

Computer Matching

The Department of Human Resources conducts several matches with other Texas state agencies to determine whether public-assistance clients show up on other lists -- Texas Education Agency, Department of Mental Health, Department of Health, State Controller's list of state employees, the Texas Employment Commission (quarterly wage data). The department also matches its client base against those of neighboring states. This is a particularly active match for clients in border cities like Texarkana. The Social Security number is not the sole means for conducting these matches (there is also a separate Medicaid number), but it is more reliable to have it in the match, according to Timothy G. Varian, administrator of the Recipient Information Division of DHR. The department does not have data on the cost effectiveness of the matches. "Hits" are referred to the Attorney General's Office for investigation and possible prosecution. T-15)

The department conducts only one match of health-care providers in the

Medicaid program (as opposed to clients). It runs its list of providers (mainly physicians) against lists of the state Board of Medical Examiners to determine whether the professionals are licensed. T-16

The Immigration and Naturalization Service is trying to interest Texas in matching public-assistance files with INS lists of documented aliens, and the state is actively considering this. T-17

In Texas, as in all the other states surveyed (except perhaps Virginia and New York), there is little public awareness of computer matching, either within state government or outside. T-18

The annual NASIS report provides an inventory of computer applications in state government. The list is not limited to personal data systems. The NASIS inventory follows: T-19

APPLICATION INVENTORY AND DESCRIPTION—STATE AGENCIES
(Excluding Higher Education)

Application Area	Date of Completion or Major Revision	Software Required		Hardware Required		Storage Medium			Mode of Operation		Inquiry Capability		Transferable
		Primary Language	Monitor Type	CPU	Core Size	Tape	Disk	Mass Storage	Batch	On-Line	Batch	On-Line	
TEXAS													
FINANCE													
Check Reconciliation	1979	COBOL	OS/2000	H 2041	65K	X		X	X			X	
Payroll	1978	COBOL	OS	AMD V/8II	200K	X	X		X			X	
Cash Flow	1978	COBOL	MVS/S2000	AMD V/8II	1000K	X	X	X	X		X		
Revenue Projection		ALC/COBOL	MVS/S2000	AMD V/8II	300K	X	X		X	X	X	X	
Direct Deposit	1981	COBOL	MVS/JES3	AMD V/8II	1000K	X	X		X		X	X	
Financ. Accountability & Control for Texas System (FACTS)	1977	COBOL	MVS/S2000	AMD V/8II	1000K	X	X		X		X	X	X
Internal Accounting	1977	COBOL	OS	AMD V/8II	200K	X	X		X				
Zero Base Budgeting	1976	COBOL	OS	AMD V/8II	200K	X	X		X				X
Employee Tracking	1978	COBOL	OS	AMD V/8II	256K	X	X		X			X	
Staffing Pattern	1980	COBOL	MVS	AMD V/8II	200K	X	X		X			X	
Vendor File	1978	COBOL	MVS/S2000	AMD V/8II	1000K		X			X	X		
PURCHASING													
Inventory													
Contract*	5/76	COBOL	OS	DEC 10	128K	X	X		X				X
Schedule**	5/76	COBOL	OS	DEC 10	128K	X	X		X				X
Open Market***	5/77	COBOL	OS	DEC 10	256K	X	X		X	X		X	X
RETIREMENT													
Annuity Payroll & Actuarial Studies	9/81	COBOL	TOPS 10	DEC 10	100K		X		X			X	
Member Contribution & Actuarial Studies	9/80	COBOL	TOPS 10	DEC 10	100K	X	X		X			X	
Uniform Group Insurance & Actuarial Studies	11/81	COBOL	TOPS 10	DEC 10	100K	X	X		X			X	
REVENUE													
Income Tax													
Field Assignment Inventory System	1981	COBOL/ALC	MVS/JES3	AMD V/8II	200K	X	X		X	X		X	X
Integrated Tax Information Management System	1979	COBOL	MVS/JES3	AMD V/8II	500K	X	X	X	X			X	
Field Enforcement Assignment Inventory	1982	COBOL/ALC	MVS/JES3	AMD V/8II	4096K	X	X		X	X		X	X
Sales Tax	1969	COBOL	MVS/JES3	AMD V/8II	400K	X	X	X	X		X	X	
Sales Tax Audit Select	1982	COBOL	MVS/JES3	AMD V/8II	250K	X			X			X	X
Sales Tax Penalty/ Interest Calculation	1981	COBOL	MVS/JES3	AMD V/8II	500K	X	X		X		X	X	
Combined Sales Tax	1981	COBOL	MVS/JES3	AMD V/8II	6600K	X	X		X	X		X	
Other Tax													
Motor Fuel/Special Fuel	1981	ALD/COBOL	S2000 MVS/JES3	AMD V/8II	4000K	X	X		X		X	X	
Tobacco(Cigarette Permits)	1972	COBOL	MVS/JES3	AMD V/8II	200K	X	X		X		X	X	
Inheritance	1980	COBOL	MVS/JES3	AMD V/8II	5M	X	X		X		X	X	
Franchise	1969	ALC/COBOL	MVS/JES3	AMD V/8II	200K	X	X		X		X	X	
Oil Production Tax	1971	COBOL	MVS/JES3	AMD V/8II	750K	X	X		X		X	X	

* Includes Bidder Mail List, Invitation to Bid, Bid Tabulation, Notification of Award, Contract Catalog, PO Writing, Purchase Analyses.

** Includes Purchase Requisition, Invitation to Bid, Bid Tabulation, Purchase Order Writing, Bidder Mail List.

*** Includes Purchase Requisition, Invitation to Bid, Bid Tabulation, Purchase Order Writing, Bidder Deletion, Requisition Status, Purchase Analyses.

APPLICATION INVENTORY AND DESCRIPTION—STATE AGENCIES
(Excluding Higher Education)

Application Area	Date of Completion or Major Revision	Software Required		Hardware Required		Storage Medium			Mode of Operation		Inquiry Capability		Transferable
		Primary Language	Monitor Type	CPU	Core Size	Tape	Disk	Mass Storage	Batch	On-Line	Batch	On-Line	
TEXAS (Continued)													
Natural Gas Tax	1975	ALC	MVS/JES3	AMD V/8II	700K	X	X		X		X	X	
Hotel/Motel Tax	1975	COBOL	MVS/JES3	AMD V/8II	370K	X	X		X		X	X	
Interstate Motor Carrier Sales & Use Tax	1982	COBOL	MVS/JES3	AMD V/8II	. 300K	X	X	X	X			X	
Centralized Research System for State Tax Statutes	1976	MARK IV	MVS/JES3	AMD V/8II	200K	X	X		X		X	X	
Bingo Tax	1982	MARK IV COBOL	MVS/JES3	AMD V/8II	4096K	X	X		X	X		X	
LEGISLATIVE													
Bill Status	1/75	COBOL/ALC	MVS	AMD V/6	250K		X			X	X	X	X
Bill Preparation	3/76	ALC	MVS	AMD V/6	1.5M		X			X		X	
Statutory Retrieval	12/73	ALC	MVS	AMD V/6	.5M		X		X		X	X	
Type Composition			MVS	AMD V/6	2M			X	X	X			
Calendar/Journal Preparation	1/75	COBOL	MVS	AMD V/6	.5M		X		X			X	X
Budget Prep. & Analysis	6/79		OS/MVS	AMD V/8II	300K	X	X		X	X	X		X
WELFARE													
Eligibility Determination		COBOL	EXEC 8	U1100/82	524K	X	X	X		X		X	
Grant Computation		COBOL	EXEC 8	U1100/82	524K	X	X	X	X	X	X	X	
Case Record Maintenance		COBOL	EXEC 8	U1100/82	524K	X	X	X	X	X	X	X	
Warrant Writing		COBOL	EXEC 8	U1100/82	524K	X	X	X	X			X	
Payment-in-Kind		COBOL	EXEC 8	U1100/82	524K	X	X	X	X			X	
Medicaid													
Eligibility Determination		COBOL	EXEC 8	U1100/82	524K	X		X	X				
Vendor Payment		COBOL	EXEC 8	U1100/82	524K	X		X	X				
Federal Reports		COBOL	EXEC 8	U1100/82 U1100/44	524K	X		X	X				
Administrative		COBOL	EXEC 8	U1100/82 U1100/44	524K	X	X	X	X	X	X	X	X
Food Stamps		COBOL	EXEC 8	U1100/82	524K	X	X	X	X	X		X	
Vocational Rehabilitation	10/77	COBOL	MCP VI	B 4708	200K		X	X	X	X		X	X
Nursing Home Registration		COBOL	EXEC 8	U1100/82	524K	X		X	X			X	
Eligib. Determ. (Disability)	2/80	COBOL	MCP VI	B 2930	200K		X	X		X		X	X
Client Statistical/Fiscal	10/77	COBOL	MCP VI	B 2930	350K		X	X	X	X	X	X	X
Electronic Mail	5/81	COBOL	MCP VI	B 2930	150K		X	X		X		X	
Supply Ordering/Inventory	1/82	COBOL	MCP VI	B 2930	150K		X	X		X		X	
Child Support		COBOL	EXEC 8	U1100/44	524K	X	X		X				
Nursing Home Management	6/73	COBOL	EXEC 8	U1100/82	300K		X			X		X	X
Social Services Management	10/80	COBOL	EXEC 8	U1100/82	300K		X		X			X	X
VETERANS AFFAIRS													
Mortgage Accounting	6/79	COBOL	OS/3	U 90/30	100K	X	X		X			X	

APPLICATION INVENTORY AND DESCRIPTION–STATE AGENCIES
(Excluding Higher Education)

Application Area	Date of Completion or Major Revision	Software Required		Hardware Required		Storage Medium			Mode of Operation		Inquiry Capability		Transferable
		Primary Language	Monitor Type	CPU	Core Size	Tape	Disk	Mass Storage	Batch	On Line	Batch	On-Line	
TEXAS (Continued)													
EMPLOYMENT SECURITY													
Unemployment Insurance													
Benefit Payments	4/79	COBOL	MVS/SP/JES2	370/158	450K	X	X		X	X	X	X	
Employer Accounting (Tax)	4/79	COBOL	MVS/SP/JES2	370/158	350K	X	X		X	X	X	X	
Wage Records	7/79	COBOL	MVS/SP/JES2	370/158	450K	X	X		X	X	X	X	
Employment Service													
ESARS	4/70	COBOL	MVS/SP/JES2	370/158	650K	X			X		X		
Computer-Assist. Job Place.	1/78	COBOL	MVS/SP/JES2	370/158	512K		X		X	X	X	X	
Applicant Data System	4/70	COBOL	MVS/SP/JES2	370/158	512K	X	X		X		X	X	
Administrative													
Purchasing, Property Control, & Cost Accounting	4/70	COBOL	MVS/SP/JES2	370/158	180K	X	X		X		X		
ES-202 Reporting System	6/82	COBOL	MVS/SP/JES2	370/158	512K	X			X				
Bureau of Labor Statistics	4/70	COBOL	MVS/SP/JES2	370/158	392K	X			X				
Ossupational Injury Survey	1/75	COBOL	EXEC 37R2	U1100/60	48K		X	X		X		X	
Workmen's Compensation	6/79	COBOL	GCOS	H 6640	224K			X		X		X	
Crime Victim Comp. Claims Files	4/80	COBOL	GCOS	H 6640	45K			X	X	X		X	
PUBLIC HEALTH													
Vital Statistics	5/81	COBOL	EXEC 37R2	U1100/60	110K	X	X		X	X		X	
Population Est. & Proj.	3/81	COBOL	EXEC 37R2	U1100/60	100K	X		X	X		X		
Athletic Trainer Lic. Sys.	11/80	COBOL	EXEC 37R2	U1100/60	40K	X		X	X		X		
Water/Wastewater Op. Cert.	1/77	COBOL	EXEC 37R2	U1100/60	30K	X		X	X		X		
Social Psychotherapists Lic. Sys	11/80	COBOL	EXEC 37R2	U1100/60	40K	X		X	X		X		
Case Regis. Tuberculosis Svs.	1/80	COBOL	EXEC 37R2	U1100/60	64K	X	X	X	X	X		X	
Syphilis Serology Participants	1/80	COBOL	EXEC 37R2	U1100/60	29K	X	X		X		X		
Annual Immunization School Repts	.2/80	COBOL	EXEC 37R2	U1100/60	22K	X			X		X		
Infant Immun. Surv. Project	8/77	COBOL	EXEC 37R2	U1100/60	48K	X			X		X		
Communicable Disease Reporting	1/70	COBOL	EXEC 37R2	U1100/60	29K	X	X		X		X		
Venereal Disease System	1/72	COBOL	EXEC 37R2	U1100/60	32K	X			X		X		
Birth, Death, Marriage & Divorce System	1/80	COBOL	EXEC 37R2	U1100/60	80K	X			X		X		
Lab Supplies Inventory	9/81	COBOL	EXEC 37R2	U1100/60	28K	X			X		X		
Safe Drinking Water System	1/79	COBOL	EXEC 37R2	U1100/60	42K	X	X	X	X		X	X	
Estuarine Water System	1/70	COBOL	EXEC 37R2	U1100/60	28K	X		X	X		X		
Raw Milk Sampling System	1/80	COBOL	EXEC 37R2	U1100/60	35K		X	X	X			X	
Improved Patient Origin Sys.	2/82	COBOL	EXEC 37R2	U1100/60	150K	X		X	X		X		
Birth Origin System	4/82	COBOL	EXEC 37R2	U1100/60	50K	X		X	X		X		
IDS Manpower System	9/81	COBOL	EXEC 37R2	U1100/60	100K	X		X	X		X		

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TEXAS (Continued)													
Health Fac. Form 22 Sys.	8/80	COBOL	EXEC 37R2	U1100/60	80K	X		X	X		X		
Sanitation Programs Info. Formulator	1/78	COBOL	EXEC 37R2	U1100/60	47K								
Radiation Control	1/74	COBOL	EXEC 37R2	U1100/60	28K	X	X	X	X		X	X	
MENTAL HEALTH & HOSPITALS													
Regis. for State School Place.	6/69	COBOL	OS	NAS 5000E	100K	X			X		X		
Clinical Record Former In-Patient Tracking System	1/81	MARK IV	OS	NAS 5000E	160K	X	X		X		X	X	
Financial MIS	9/75	PL/1	OS	NAS 5000E	150K	X	X		X	X	X	X	
Claims	7/69	PL/1	OS	NAS 5000E	100K	X			X		X		
Payroll/Personnel	9/75	PL/1	OS	NAS 5000E	150K	X	X		X	X	-X	X	
Property Accounting	9/70	PL/1	OS	NAS 5000E	150K	X			X		X		
Facilities Inventory	1/75	MARK IV	OS	NAS 5000E	100K	X			X		X		
Case Mgmt. Sys-Denton Genetics	6/82	M 204	MVS/M204	NAS 5000E			X		X	X	X	X	
Mailing Labels/Lists	7/69	COBOL	OS	NAS 5000E	120K	X			X		X		
Plant Maintenance	6/79	COBOL	OS	NAS 5000E	160K	X	X		X		X		X
Eval. & Training System	6/74	PL/1	OS	NAS 5000E	240K		X		X	X	X	X	
Community Program Data for Out-Patients	9/70	PL/1	OS	NAS 5000E	150K	X			X		X		
Commun. Ctr. Patients System	4/82	M 204	MVS/M204	NAS 5000E			X		X		X		
In-Patient Clin. Records Sys.	9/72	PL/1	OS	NAS 5000E	250K		X		X		X		
Patient Diagnostic System	6/82	M 204	MVS/M204	NAS 5000E			X		X		X		
Pharmacy System	8/76	PL/1	OS	NAS 5000E	120K	X			X		X		
Client Safety/Injury Reports	9/81	PL/1	OS	NAS 5000E	240K	X			X				
TRANSPORTATION													
Planning													
Origin & Destination	1965	FORTRAN	MVS	AMD V/6	260K	X	X		X		X		
Accident Records	1978	COBOL	MVS	MAD V/6	400K	X	X		X			X	X
Right-of-Way	1979	COBOL	MVS	AMD V/6	400K	X	X		X	X		X	
Analytical Photogrametry	1979	FORTRAN	MVS	AMD V/6	400K	X	X		X		X		X
Environment (AEDAS)	1982	FORTRAN	MVS	AMD V/6		X	X		X				
Human Resource Mgmt. System	9/82	COBOL/NAT	OS	MVS	350K	X	X		X		X		
Design													
Roadway Design	1981	FORTRAN	MVS	AMD V/6	260K	X	X		X		X		X
Mapping	1981	FORTRAN	MVS	AMD V/6	516K	X	X		X				X
Construction													
Bid Letting	1976	ALC	MVS	AMD V/6	250K		X			X		X	X
Design & Const. Info. Sys.	1981	COBOL	MVS	AMD V/6			X		X	X	X	X	X
Contract Information System	1981	COBOL	MVS	AMD V/6	1.5M	X	X		X		X		X

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TEXAS (Continued)													
Maintenance													
Inventories	1979	COBOL	MVS	AMD V/6	200K	X	X		X		X		X
Magazine Subscription	1980	COBOL	MVS	AMD V/6	550K		X			X		X	
AERONAUTICS													
State Airport/Sys. Plng. Study	7/78	FORTRAN IV	MVS	AMD V6/V7			X		X		X		
Airport Inventory & Program Management Data Base	7/81	FORTRAN IV	MVS	AMD V6/V7	2048K		X		X		X		
ENVIRONMENT													
Water Distribution	2/75	FORTRAN	EXEC 8	U1100/41	59K			X	X				X
Waste Water Collec. & Treat.	8/80	FORTRAN	EXEC 8	U1100/41	60K	X	X	X	X		X		X
Water Pollution Monitoring	8/81	COBOL	EXEC 8	U1100/41		X	X	X	X		X		X
Flood Control & Hydro Monitor	8/81	FORTRAN	EXEC 8	U1100/41	35K				X		X		X
Stream & Hydro Modeling	6/81	FORTRAN	EXEC 8	U1100/41	65K	X	X	X	X		X		X
Solid Waste Disposal	6/81	FORTRAN	EXEC 8	U1100/41	60K	X	X	X	X		X		X
Particulate Gaseous & Cont. Ambient Air Pollution Mon.	1981	COBOL/FORT	MCP	B 6810	131K	X	X	X	X		X		
Dyspersion/Dynamic Air Poll Mod	1979	FORTRAN	MCP	B 6810	131K		X	X	X				X
Environment Permits (Water)	8/81	FORTRAN	EXEC 8	U1100/41	60K	X	X	X	X		X		X
Environmental Permits (Air)	1982	COBOL	MCP	B 6810	131K	X	X	X			X	X	X
X-Ray Flourescent Analysis	1978	COBOL/FORT	MCP	B 6810	131K		X	X	X		X		
Source Investigations	1982	COBOL	MCP	B 6810	131K	X	X	X	X	X	X	X	X
NATURAL RESOURCES													
Watercraft Licensing	6/72	COBOL	EDOS/VS	M80/31	192K	X	X		X		X	X	X
Fish/Hunt Licensing	6/72	COBOL	EDOS/VS	M80/31	60K	X	X		X		X		X
Forest Protection	7/75	FORTRAN	EXEC 8	U1100/41	30K	X	X	X	X		X		X
Park Operations	2/79	COBOL	EDOS/VS	M80/31	80K	X	X		X		X		X
Water Resources Management	8/81	FORTRAN	EXEC 8	U1100/41	55K	X	X	X	X		X		X
Land Resources Management	8/81	FORTRAN	EXEC 8	U1100/41	65K	X	X	X	X	X	X	X	X
Game & Fish Management	1/74	COBOL/PL1	EDOX/VS	M80/31	40K	X	X		X	X	X	X	X
Law Enforcement	1/75	COBOL	EDOS/VS	M80/31	75K	X	X		X		X		X
Natural Resources Management	5/81	FORTRAN	EXEC 8	U1100/41	60K	X	X	X	X	X	X	X	X
LAND USE													
Classification	7/79	COBOL	OS/3	U 90/30	50K	X	X		X			X	X
Oil/Gas/Mineral System	7/78	ALC/COBOL	OS/3	U 90/30	100K	X	X		X			X	X
Real Property Inventory	12/80	COBOL	OS/3	U 90/30	50K	X	X		X			X	X
Abstract System	5/75	COBOL	OS/3	U 90/30	50K	X	X		X		X		X
Lease Inventory	8/81	COBOL	OS/3	U 90/30	50K	X			X		X	X	X

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TEXAS (Continued)													
ENERGY													
Data Base	2/81	FORTRAN	TAURUS	CYBER 175	128K		X		X	X		X	X
AGRICULTURE													
Brucellosis Ring Tests	1981	COBOL		U 1100	65K		X		X		X		
Calfhood Vaccination Payments	1981	COBOL		U 1100	65K		X		X		X		
Nursery & Floral System	7/81	COBOL	MCP II	B 1855	30K		X		X			X	
Pesticide Registration	11/81	COBOL	MCP II	B 1855	40K		X		X			X	
PUBLIC SAFETY													
Message Switching	10/80	BASIC		PDP 11/34		X	X			X		X	X
Field Contact Reports	1/72	ALC	OS/MVS	AMD V/7B	50K	X	X		X		X		X
Uniform Crime Reports	1/76	COBOL	OS/MVS	AMD V/7B	40K		X		X		X		X
Stolen Property File	7/73	ALC	OS/MVS	AMD V/7B	50K		X			X		X	X
Criminal History File	10/75	ALC	OS/MVS	AMD V/7B	184K	X	X		X	X	X	X	X
Citation Processing	1/81	COBOL	OS/MVS	AMD V/7B	50K	X	X		X	X	X	X	X
Warrant Control	6/75	ALC	OS/MVS	AMD V/7B	50K		X			X		X	X
Wanted Persons	7/73	ALC	OS/MVS	AMD V/7B	50K		X			X		X	X
Accident Records	1/75	COBOL	OS/MVS	AMD V/7B	80K	X	X		X		X		X
Narcotics Triplicate Pres.	1/82	M 204	OS/MVS	AMD V/7B	2800K		X			X	X	X	X
Narcotics Investigative Files	10/81	M 204	OS/MVS	AMD V/7B	2800K		X			X	X	X	X
Intelligence Index	7/82	M 204	OS/MVS	AMD V/7B	2800K		X			X	X	X	X
Crime Lab Index	6/82	M 204	OS/MVS	AMD V/7B	2800K		X			X	X	X	X
CORRECTIONS													
Inmate Records	1973	COBOL	DOS/VSE	4341	128K	X	X		X	X	X	X	X
Trust Fund Accounting	1/76	COBOL	DOS/VSE	4341	100K	X	X		X		X	X	X
Inventory Control	1976	COBOL	DOS/VSE	4341	150K	X	X		X	X	X	X	X
Adult Probation	8/81	COBOL	TOPS 10	DEC 10			X		X	X		X	X
Adult Probation Caseload Mgmt.	5/80	COBOL	TOPS 10	DEC 10			X			X		X	
Caseload Classification	11/79	COBOL	TOPS 10	DEC 10			X		X			X	
Vehicle Maintenance System	1975	COBOL	DOS/VSE	4341	64K	X	X		X	X	X	X	X
Equip. Expense & Management	6/76	COBOL	DOS/VSE	4341	75K	X	X		X		X	X	X
Clemency & Parole	10/81	COBOL	MCP II	B 1955	256K		X			X		X	X
DRIVER LICENSING-MOTOR VEHICLE													
Driver Licensing	1/72	ALC	OS/MVS	AMD V/7B	184K	X	X		X	X	X	X	X
Vehicle Registration	1981	COBOL	MVS	AMD V/6	1M	X	X	X	X	X	X	X	X
Vehicle Title	1979	COBOL	MVS	AMD V/6	1M	X	X	X	X	X	X	X	X
Finan. Repon. Driver Hist.	3/79	ALC	OS/MVS	AMD V/7B	60K	X	X			X		X	X

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TEXAS (Continued)													
Driver History	3/79	COBOL	OS/MVS	AMD V/7B	1M	X	X			X	X	X	X
Driver Improvement	1/78	ALC	OS/MVS	AMD V/7B	60K	X	X			X		X	X
EDUCATION													
Teacher Certification	8/74	COBOL	MVS	3032	320K		X		X		X		
School Lunches	9/78	COBOL	MVS	3032	1M		X		X		X		
Retired Payroll	1972	ALC/COBOL	DOS/VS	4300	.5M	X	X		X		X		X
Pending Retire. Proc. Sys.	1978	ALC/COBOL	DOS/VS	4300	.5M	X	X			X		X	X
Actuarial Sys-Annual Eval.	1979	ALC/COBOL	DOS/VSE	4300	.5M								
Actuarial Sys-Exper. Study	1975	ALC/COBOL	DOS/VS	4300	.5M	X	X		X				
Active Member Acctg. Sys.	9/73	ALC/COBOL	DOS/VS	4300	.5M	X	X		X	X		X	X
Stock Accounting System	9/76	ALC/COBOL	DOS/VS	4300	.5M	X	X		X	X	X	X	X
Bond Accounting System	9/77	ALC/COBOL	DOS/VS	4300	.5M	X	X		X	X	X	X	X
School Financial Aid	9/76	COBOL	MVS	3032	120K		X		X		X		
Textbook Distribution	9/77	COBOL	MVS	3032	1M		X		X		X		
Transportation Aid	6/80	COBOL	MVS	3032	1M		X		X		X		
School Data Systems*	9/80	COBOL	MVS	3032	2M	X	X		X		X		
REGULATION													
Insurance Fire Rates		COBOL	DOS/VSE VSAM	4341	4M		X		X	X		X	
Insurance - Agents License		COBOL	DOS/VSE VSAM	4341	4M		X		X	X		X	
Insurance - Worker's Comp. Experience Rating		COBOL	DOS/VSE VSAM	4341	4M		X		X	X		X	
Insurance (WC Rates)		COBOL	DOS/VSE	4341	4M	X					X		
Insurance (NFIRS)		DMS	DOS/VSE	4341	4M		X			X		X	
Public Utility-Rev. Require.	1979	IFPS		CYBER 175	32K		X		X	X			
Alcoholic Beverage Licensing	9/82	COBOL		PRIME 550			X			X		X	
Capital Equipment Inventory	9/81	COBOL		PRIME 550			X			X	X	X	X
Statewide Voter Registration	4/76	NEAT 3	VRX	NCR 8585		X			X		X		X
Uniform Commercial Code	11/78	NEAT 3	VRX	NCR 8585		X	X			X		X	
Corporation Charter Filing	6/73	NEAT 3	VRX	NCR 8585			X			X		X	X
Corporation Charter Filing	6/73	NEAT 3	VRX	NCR 8585			X			X		X	X
Texas Register Typesetting Sys.	1/76	NEAT 3	VRX	NCR 8585			X			X		X	X
Notary Public	1/80	VRX/COBOL	VRX	NCR 8585			X			X		X	X
Election Canvassing System	1980	COBOL	VRX	NCR 8585		X	X		X		X		X
Campaign Filings System	1982	VRX/COBOL	VRX	NCR 8585			X			X		X	
Statewide Election Tabulation	1982	VRX/COBOL	VRX	NCR 8585			X			X		X	
Texas Register Subscription	1980	VRX/COBOL	VRX/TRANPRO	NCR 8585			X			X		X	
Boiler Certification System	1980	COBOL	MVS	AMD V/6	384K	X	X		X		X		X

* Includes Student Accounting System, Vocational Education System, Special Education System, Independent Audit System, District Budget System.

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TEXAS (Continued)													
Manufactured Housing System	1982	COBOL	MPE	HP3000/40	512K	X	X		X	X		X	X
Oil Regulation	IN PROCESS	COBOL	OS/MVS	370/158		X	X		X	X	X	X	X
Gas Regulation	IN PROCESS	COBOL	OS/MVS	370/158		X	X		X	X	X	X	X
Docket System	1979	COBOL	OS/MVS	370/158			X			X		X	X
Transportation Carrier License	1979	COBOL/PL1	OS/MVS	370/158			X		X	X	X	X	
JUDICIAL													
Docketing	6/82	BASIC	SYS II	JACQ J100	45K		X			X		X	
Statistical Reports	1/75	COBOL	EXEC 8	U 1162	45K		X		X		X	X	

Virginia Pop. 5.35 million, ranks 14th

Privacy Protection Act of 1976, Va. Code 2.1-379

R.G. Olsen, Chief Engineer, Computer Systems
Division of Plans and Operations
Department of Information Technology
804/225-2446

Privacy Protection

As in several other states, the 1973 task force report of the Department of Health, Education and Welfare was the genesis for privacy legislation in the Commonwealth of Virginia. In the summer of 1974 a special Computer Privacy and Security Committee held hearings at both ends of the state to make recommendations to the Virginia Advisory Legislative Council. State Senator Joseph V. Gartlan, the chair of the committee, said at the time that he was impressed with the principles articulated in the HEW task force report. V-1)

At the end of 1974, when the U.S. Congress was debating the Privacy Act of 1974, the Virginia committee made a series of recommendations. They called for reforms in personal information practices in different state agencies. But there was no recommendation for a law covering all state agencies. Many of the recommendations -- along with much of the testimony that the committee had heard -- were aimed at invasions of privacy in the private sector. Still, the committee's work led to legislative consideration of a fair information practices bill affecting state files, and it was passed in early 1976, the fifth such state law in the nation (there are now ten). V-2)

Responsibility for compliance was lodged in what was then called the Division of Automated Data Processing. The division was responsible for receiving reports on information systems from each state agency and each unit of local government and to arrange the information in an annual report. (Only Virginia and the federal Privacy Act cover private entitites under contract to operate a personal data system for the government.) After a reorganization, the compliance agency has become the Plans and Operations Division in the Department of Information Technology. There is no separate office with privacy protection responsibility. R. G. Olsen handles it along with his responsibilities for data processing procurement in state agencies, information V-3) resource management, and other technical support. Freedom of information and privacy are combined in documents issued by Olsen. The operation is not complaint-oriented. Its publications have been limited to a 122-page "Manual for Complying with the Freedom of Information Act and the Privacy Protection Act" in 1980, the "Orange Book," and a 32-page supplement published in August 1984. The volumes have explanatory texts to guide agency personnel "to deal V-4) with the continuing questions posed to you in your capacity as trustees of public information." Although there is no index, the manual and supplement provide clear and comprehensive guidance for an administrator when faced with requests for information. There is no strategy for affirmatively promoting the goals of the act, except for briefing state agencies and others on request.

The original law exempted the following personal information systems from its coverage: court records; information in publications of general circulation; all police departments; records about professional licenses; parole, crime commission, judicial inquiry, and alcoholic beverage control records; and records "relating to the parentage of any person." V-5)

The Virginia law has been amended each year since 1980. In 1980, the exemption for police was widened to include campus security at public universities and narrowed to limit the exemption to records "which deal with investigations and intelligence gathering relating to criminal activity." In 1981 the Virginia Port Authority was added to the list of exempted agencies, as well as the Division of Tourism so that it could continue to disstribute lists of persons who write for tourist brochures. Amendments to 1982, 1983, and 1984 were limited to technical changes. V-6)

The main source of interpretation of the act has been attorney general's opinions. Olsen does not issue guidelines himself. These opinions are sent to Olsen, who has included a chronological list in his two manuals. Among the interpretations are: the act does not apply to personnel records at a court or criminal justice agency (issued before the 1980 amendments); a private security service has no obligation to comply with the act; the act requires state agencies to notify persons about their rights under the act when they are asked for personal information; the medical examiner has discretion in deciding whether to release personal information to the news media; the Virginia Employment Commission does not violate the act by furnishing information from the U.S. Department of Labor to the state Department of Labor and Industry; an individual's Social Security number (and an organization's Federal Identification Number) is "personal information" under the act; addresses of business licensees are not "personal information"; a person who shows up in person with proper identification requesting immediate access to inspect his or her own records may not be required to put the request in writing if an agency does not have a blanket policy about this. V-7)

Virginia's Privacy Protection Act specifically prohibits a state agency from refusing a service to an individual who declines to disclose his or her Social Security number or requiring an individual to disclose such number "unless the disclosure or furnishing of such number is specifially required by federal or state law." The Arkansas Information Practices Act is the only V-8) other state fair information practices act limiting use of the Social Security number. The Arkansas provision is identical to the one in the federal Privacy Act. V-9) Virginia's seems to be more limited, protecting the citizen from disclosing the number unless specifically required by law. Federal law omits the "specifically" and many federal and state agencies -- this part of the Privacy Act applies to state and local governments -- have pointed to very general authorizations to gather information as justification for demanding the Social Security number. (Oklahoma has a similar prohibition on Social Security numbers, but it has no fair information practices act.) V-10)

There has never been an outside or internal appraisal of privacy-protection compliance in Virginia, and the legislature has even dropped the requirement that the government publish an annual report under the act. V-11)

The law does not function really as a privacy-protection statute. Indeed, the state Supreme Court ruled in 1982 that the act does not render personal information confidential by itself. The law does not generally V-12) prohibit the dissemination of information, the court ruled, but instead requires certain procedural steps to be taken in the collection, maintenance, use, and dissemination of personal information.

Computer Matching

In January 1983, the Virginia legislature requested the state Secretary of Human Resources to investigate computer matching among Department of Social Services programs and other state and private organizations and to assess needs for the future. The Report of the Secretary of Human Resources on Computer Matching is attached as Appendix I to this report. V-13) It is apparently the only comprehensive look at the subject on the state level. It describes income verification of various entitlement programs. The secretary's report describes the Social Security Administration's BENDEX program and the state's own State Data Exchange (SDX) system for verifying receipt of benefits. The 34-page report devotes only one paragraph to Virginia's Privacy Protection Act of 1976, stating on page 32 (accurately) that the act's only effect is to require state agencies to inform recipients that matches will be conducted. Unlike the federal Privacy Act, Virginia's law seems not to restrict exchanges among state agencies.

In addition, the Virginia Education Loan Authority runs matches of its 20,000 to 30,000 student loan accounts. All of the accounts are stored and processed, by contract, by the Pennsylvania Higher Education Assistance Agency (PHEAA), as are the higher education loan accounts of many other states, including California and Indiana. This permits the Commonwealth of Virginia to know whether its borrowers also have guaranteed student loans from the other states in the Pennsylvania system (dupplicate loans would be a violation of loan requirements). The Virginia authority reports that it has found an insignificant amount of fraud in its program and has experienced a default rate of less than three percent (on approximately $50 million loaned each year), according to Eugene Cattie, the executive director. The Social Security number is the numerical identifier used in the matches. Cattie expects that through the Pennsylvania authority there will soon be "a master match" of student loan information among Eastern states. There may be a nationwide match network within a decade, he said. V-14)

The Virginia Fair Information Practices Act poses no obstacle to this match. It, and federal regulations, require only that the individual be informed of such disclosures. The note that a student borrower signs includes a disclosure waiver. V-15)

The Pennsylvania authority provides similar services to two private, non-profit associations that process student financial aid. One is the Student Loan Marketing Association. The Pennsylvania configuration illustrates a recent trend: records about a jurisdiction's citizens are often stored outside of that jurisidiction and the reach of its law and records in public agencies are often commingled with records of private institutions. V-16)

In addition to the matches listed in the 1983 report of the state Department of Social Services, the report of the U.S. Department of Labor Inspector General notes that Virginia accesses its income-based assistance files and its unemployment compensation files to track down parents not providing child support and it matches federal tax files with unemployment files to detect new companies that are obligated to make unemployment contributions to the commonwealth. V-17)

On November 19, 1984, a joint Senate -House subcommittee in Richmond recommended that day-care center operators be given authority to check the criminal records of job applicants, presumably through local records and the automated criminal justice information system. The proposal was intended to minimize the possibilities of child abuse by screening out applicants with histories of sexual offenses. (The State of New York has already begun this practice. Last fall the city of New York began fingerprinting 110,000 persons who work with children in day-care centers and other programs receiving city funds. The fingerprints are checked with the state Division of Criminal Justice Services in Albany to determine who has arrest records on file. Representatives of a social services union and some politicans have objected to the practice as a violation of individual rights. Of the first 82 sets of prints checked against criminal files, 36 matched those of persons with criminal records, according to press reports.) V-18)

ESTABLISHMENT OF "PRIVACY PROTECTION SCORES"

1. States With Fair Information Practices Acts.

Calif.
Ind.
Minn.
N.Y.
Va.

2. States Rated on the Strength of Their Fair Information Practices Acts. 10 = Strongest.

Relative "strength" is based on clarity of language; the extent of restrictions on data disclosure; the extent of individual rights of access and correction; also, the extent of legislative involvement in enforcement, and legislative refinements since the act was originally enacted. [The Privacy Act covering the U.S. Government is included for comparison. Its ratings are based on the contractor's experience in monitoring the act since its passage in 1974.]

Minn.	8
Calif.	7
N.Y.	7
Va.	6
Ind.	4

[US Govt. 7]

3. States Rated on the Effectiveness of Fair Information Practices Compliance Mechanism. 10 = Most Effective

"Effectiveness" is based on the size, budget, and personnel of the office charged with compliance responsibility; regularity and consistency of opinions and guidelines; results of the efforts of the office; and the presence of legislative oversight.

Minn.	9
N.Y.	8
Calif.	7
Ind.	4
Va.	4
Fla.	1
Tex.	0

[US Govt. 4]

4. States Rated on the Relative Extent to Which a Disclosure Outside of a State Agency is Not Permitted by a Fair Information Practices Act, or Other Regulations. 10 = Strongest possible limitation.

See NOTES.

Minn.	8
Calif.	7
Va.	5
N.Y.	4
Ind.	3
Tex.	2
Fla.	1
[US Govt.	8]

NOTES:

Minn., 13.04(2) bars an agency from exchanging information unless the data subject has been previously notified.

Calif., 1798.24(e) requires that any disclosure must be listed previously the Office of Information Practices and must be for a "compatible purpose," e.g. "a use which would relate so closely to a declared purpose for which information is collected and maintained that a reasonable person would foresee that this type of additional use might be made..."

Va., 2.1-378 subs. 10 states that an agency should collect only information explicity and implicitly authorized by law but a court has said this does not prohibit dissemination of information. 2.1-380 subs. 5 prohibits dissemination to another system "without specifying requirements for security and usage." There are virtually no limits on disclosure to agencies of another state.

N.Y., Publ. Off. Law allows prohibits a disclosure to another agency if the secondary use is "relevant to the purpose for which [the information] was collected," or "for a routine use," defined as a use relevant to the original purpose and necessary for the receiving agency, or specifically authorized by statute or federal rule.

Ind., 4-1-6-2 authorizes exchanges.

Texas, Department of Human Resources, the most significant collector of personal information, is bound by law, 12.003, to disclose only for "purposes directly connected with the administration of the department's assistance programs."

Fla., certain regulations and court decisions provide very few limits on disclosure.

[U.S. Govt., 552a(b) prohibits disclosure by any means unless "for a routine use," e.g. for "a purpose which is compatible with the purpose for which [the information] was collected." Subsequent regulations by the Office of Management and Budget have interpreted this to authorize "computer matches."]

ESTABLISHMENT OF A "COMPUTER MATCHING/DATA COLLECTION SCORE"

	A Extent of computer matching (see text)	B Sophistication of data collection (see text)	Combined Score
N.Y.	8	10	9
Calif.	8	10	9
Tex.	8	9	8.5
Fla.	5	9	6.5
Va.	6	8	6.5
Minn.	5	5	5
Ind.	5	4	4.5
[US Govt.]	7	10	8.5

C. Use of Numerical Identifiers

Calif.	yes
Fla.	"
Ind.	"
Minn.	"
N.Y.	"
Tex.	"
Va.	"

D. Evidence of "Profiling"

N.Y.	8
Va.	4
Others	0

E. Relative Rank in Population

The relative position of each state in population (50 = the largest state) was divided by 5 to reduce a scale of 1 to 50 states to a scale of 1 to 10.

Calif., 50th largest state	10
N.Y., 49th	9.8
Tex., 48th	9.6
Fla., 43rd	8.6
Ind., 38th	7.6
Va., 36th	7.2
Minn., 29th	5.8

COMPARISON OF MATCHING AND DATA COLLECTION

WITH PRIVACY PROTECTIONS

Match/Collection Scores (A+B)		(C) Identifiers	(D) Profiling	FIP?	FIP Strength	Effectiveness of FIP Enf.	FIP Limits	(E) Population Rank
Ind.	4.5	x	-	x	4	4	3	7.6
Minn.	5	x	-	x	8	9	8	5.8
Va	5.5	x	4	x	6	4	5	7.2
Fla.	6.5	x	-	-	-	1	1	8.6
Tex.	8.5	x	-	-	-	0	2	9.6
Calif.	9	x	-	x	7	7	7	10
N.Y.	9	x	8	x	7	8	4	9.8
[US Govt]	[8.5]	x	-	x	7	4	8	--

CONCLUSIONS

Clearly the presence of strong fair information practices, by law and procedure, does not deter computer matching. States with relatively strong privacy protections, like New York and California, are engaged in more matching than states with weaker protections. States with weaker privacy protections, like Indiana and Virginia, have comparatively less matching. States with no Fair Information Practices Acts have significant matching, as well.) One reason for this is that state privacy laws function more as "open-access" laws for citizens than as prohibitions against government sharing of information.

Matching, not surprisingly, is more a function of size. States with larger populations tend to engage in more matching, regardless of the privacy protections in place. This is true most likely because the larger states (1) can recapture more dollars by detecting fraud and waste; (2) have more urban centers and therefore larger public-assistance programs; (3) have larger budgets and therefore more resources for conducting matches; (4) have larger gross numbers of recipients to deal with and therefore more reason to expect recoveries from detecting duplication or fraud; (5) have a larger portion of their state budgets consumed by entitlement programs.

Still, there is a lesson to be learned from this comparison. States like Texas and Florida, with their large populations, are conducting computer matches across agency jurisdictional lines without any means for a citizen to be assured that the information is accurate, up-to-date, fair, and complete. Citizens of large states with privacy laws, like those in California and New York, at least have the assurance that they have a right to inspect personal information for accuracy. Other studies have shown that when citizens have such rights of access, information collection tends to be more streamlined and more carefully checked for accuracy. Citizens in states like New York and California cannot be assured that privacy laws prevent matching, but they can be assured that the matches are based on information that is accurate more often than would otherwise be the case. Citizens of those states can also be assured that there is an office in state government that sometimes presents countervailing privacy or fairness arguments against matching. They can also be assured that the matches commonly must be announced beforehand; this forces agency officials to articulate the precise purpose of a match. Privacy laws may not function as confidentiality protections, but they can function as procedural "due process" protections and as open-government laws.

Questions for OTA to Pursue

Should there be a means for the data-protection officers in the states to meet regularly, to upgrade enforcement activities in the states?

Should federal legislation further tighten use of Social Security numbers, especially by non-governmental agencies?

Is the federal government the prime impetus behind "computer matching" in state government?

Is there evidence of the cost-effectiveness of computer matching? Should there be a full study of cost-effectiveness?

Should the Privacy Act reflect the data categories established in Minnesota?

Are privacy functions best combined with Freedom of Information, or information management? In an independent body, or within a department?

Can federal agencies (like the Defense Privacy Board) profit from the system of advisory opinions in New York, and theoretically in Indiana?

Are the few numbers of persons exercising their rights to inspect their own files evidence that the laws are not needed?

Are the interests of victims of crimes taken into account in the Privacy Act?

What is the extent of computerized access to federal government data by private firms (as discussed in Florida)?

Does Freedom of Information compete with privacy protection more on the state level than it appears to do on the federal level?

Should the Office of Management and Budget reorganize its privacy information unit to combine the functions in New York and in Minnesota?

Should federal Privacy Act officers have toll-free phone numbers?

Should federal funds be denied a state records system that does not have fair information principles in place?

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2) Legislative History of the Privacy Act of 1974, Jt. Comm. Rep., Comm. on Gov. Oper., U.S. Senate; and Comm. on Gov. Oper., U.S. House of Reps., 94th Cong., 2d Sess. (1976), p. 8.

3) HEW Report, supra note 1.

4) Privacy Journal, Compilation of State and Federal Privacy Laws, 1978-79, 1981, 1985-1985.

5) "State and Federal Privacy Commissions," Privacy Journal files.

6) Compilation, supra note 4.

7) Id.

8) Smith, R.E., Privacy: How to Protect What's Left of It (1979), p. 90 et seq.

9) Id. at p. 168.

10) State of Indiana, Report of the Governor's Commission on Individual Privacy (1976), Appendix III.

11) Privacy Journal files and Privacy, supra. note 8.

12) 5 U.S.C. 552a and 26 U.S.C. 408.

13) Information in this and the following five pages is from the files of Privacy Journal.

14) See note 11.

15) 26 USC 6109(a)(2).

16) 31 CFR 103.26 and 103.34.

17) see note 15.

18) 21 USC 6103.

19) 26 USC 408.

20) 42 USC 653.

21) 42 USC 611.

22) Congress provided further authority for collecting SSNs in entitlement programs in 1984, in the Deficit Reduction Act of 1984, P.L. 98-369.

23) P.L. 97-86, sec. 916, 50 USC Appendix 453(b).

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25) Privacy Journal, March 1980, p. 7.

26) From Indiana privacy commission report, _supra_, note 10.

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30) "Sorry, No Credit," by Noel Capon, _The New York Times_, Feb. 21, 1979, Op-Ed Page.

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34) Inspector General's report, *supra*, note 27.

35) Letter to Privacy Journal from John Percy, Social Security Administration, Nov. 30,1984.

36) Mass. Gen. Laws Ann. ch. 18, sec. 15, as amended in 1973; Ch. 588, Md. Sess. Laws 1984.

37) The Washington Post June 27, 1984, p. 10, and interview with California Department of Social Services, December 1984.

38) Inspector General's Report, *supra* note 27.

39) *Id*.

40) Computerworld, Aug. 20, 1984, p. 45.

41) Interview with Gillam Kerley, National Draft Information Center, Madison, Wisc. 608/257-7562.

42) See note 25.

43) Privacy Journal files.

44) State of Illinois, Report of Secretary of State Advisory Committee on Distribution of Government Information (Mar. 17, 1983).

45) Interview with John Ebersoll, Pennsylvania Higher Education Assistance Agency, January 1985. 717/157-2502.

46) Interview with Rod Young, Internal Revenue Service, January 1985. 202/566-6257.

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C-2) State of California, Report of the Commission on Personal Privacy (December 1982), p. 281 (p. 50 of Executive Summary).

C-3) Keay interview, see note C-1. Information in the next three paragraphs is from the same source.

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C-5) Commission report, *supra* note C-2, p. 280(p. 49 of Executive Summary).

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C-7) *Id.*, p. 46 et seq.

C-8) Cal. Civ. Code 1798.9.

C-9) Legislative Analyst report, *supra* note C-6, p. 15.

C-10) Keay, see note C-1.

C-11) Privacy Journal files.

C-12) Inspector General's report, *supra* note 27.

C-13) Interview with Michael Back, chief of the fraud program management section, California Department of Social Services, January 1985. 916/924-2828.

C-14) Computer Matching, newsletter of the President's Council on Integrity and Efficiency, U.S. Department of Labor, July 1982, p. 7. and Back interview, *supra* note C-13.

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C-16) Back interview, *supra* bote C-13.

C-17) *Id.*

C-18) Computer Matching, *supra* note C-14, p. 10.

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F-2) The Florida State University Humanities Institute, "Florida and the Question of Privacy," a forum report to the Florida Endowment for the Humanities, Mar. 14-15, 1983, p. 8.

F-3) *Wait v. Florida Power & Light Co.*, 372 So. 2d 420 (Fla. 1979).

F-4) Florida State forum report, *supra* note F-2, p. 8, and interview with Joslyn Wilson, chief of opinions section, Office of the Attorney General, State of Florida, December 1984. 904/487-1963.

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F-7) *Forstburg v. Housing Authority of City of Miami Beach*, 9 *Fla. Law Weekly* 335 (Fla. 1984), and Wilson interview, *supra* note F-4.

F-8) *Fadjo v. Coon*, 633 F. 2d 1172 (5th Cir. 1981).

F-9) Florida State forum report, *supra* note F-2, p. 10.

F-10) Wilson interview, *supra* note F-4.

F-11) *Compilation*, *supra* note 4.

F-12) *Id.*

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F-14) Interview with Edwin A. Levine, staff director, Florida Legislature Joint Committee on Information Technology Resources, October 1984.

F-15) Inspector General's report, *supra* note 27.

F-16) Interview with Patrick L. Imhof, Counsel, Florida House Committee on Government Operations, January 1985. 904/488-4863.

F-17) Office of the Senate President, State of Florida, *Access by Nongovernmental Entities to State Computer-Stored Information* (March 1981).

F-18) Levine interview, *supra* note F-14, November 1984.

F-19) Senate President report, *supra* note F-17.

F-20) *Id.*

F-21) See Illinois Secretary of State's Report, *supra* note 38.

F-22) *Seigle v. Barry*, 422 So. 2d 63 (Fla. App. 1982) at 66.

F-23) Attorney General's Opinion 84-3, Jan. 19, 1984.

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F-26) *Id.*

F-27) Florida State forum report, _supra_ note F-2, p. 23-25.

F-28) _Id_.

F-29) Levine interview, _supra_ note F-14, December 1984.

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I-1) State of Indiana, Executive Order 7-75.

I-2) Indiana Commmission, supra note 10.

I-3) Id., p. 37 et seq.

I-4) Now IC 4-1-6-1.

I-5) IC 4-1-7.

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I-15) Indiana Legislative Services Agency, Final Report of the Interim Study Committee on Access to Public Records (Nov. 1, 1984).

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I-17) Indiana commission report, supra note 10, p. 10.

I-18) Id., Appendix III.

I-19) Privacy: How to Protect What's Left of It, supra note 8, p. 168.

I-20) S 304, 1978 legislative session; see Privacy Journal, May 1978, p. 6.

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I-22) Interview with James Cook, assistant administrator, Department of Public Welfare, State of Indiana, January 1985. 317/232-4705.

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M-4) State of Minnesota, "Summary of the Report to the Legislature of the State of Minnesota by the Commissioner of Administration" (Jan. 6,1975), p. 12.

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M-7) *Id*., p. 251.

M-8) *Id*., p. 252.

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M-11) *Id*.. p. 255.

M-12) *Id*.. p. 256.

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M-15) *Id*.

M-16) *Id*.

M-17) *Id*.

M-18) Interview with Donald A. Gemberling, Director of the Data Privacy Division, State of Minnesota, November 1984. 612/296-6733.

M-19) *Id*.

M-20) *Id*.

M-21) Inspector General's report, *supra* note 27.

M-22) Interview with Lance Staricha, assistant director of research, Department of Revenue, State of Minnesota, January 1985. 612/296-3425.

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M-24) *Id*.

M-25 *Id*.

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N-2) *Id*.

N-3) *Id*., sec. 89, Ch. 677, Sess. Laws of 1980.

N-4) *Id*. S 6836 and A 8176, 1983 Legislative Session.

N-5) Interview with Norma Rollins, New York Civil Liberties Union, 1983.

N-6) See note N-3.

N-7) State of New York, Department of State, "Special Report to the Governor and the Legislature on Chapter 677 of the Laws of 1980 Concerning the Protection of Privacy" (Mar. 12, 1981).

N-8) Interview with Robert J. Freeman, director, Committee on Open Government, November 1984. 518/474-2518.

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N-11) State of New York, Department of State, "1983 Report to the Governor and the Legislature on the Freedom of Information and Open Meetings Laws" (Dec. 14, 1983).

N-12) Freeman interviews, November 1984 and December 1984.

N-13) 1983 report, *supra* note N-11.

N-14) Freeman interview, *supra* note N-8.

N-15) Special report, *supra* note N-7, p. 7.

N-16) Freeman interview, *supra* note N-8.

N-17) *Oversight of Computer Matching to Detect Fraud and Mismanagement in Government Programs*, Hearings of the Comm. on Govt. Affairs, U.S. Senate, 97th Sess., 2d Sess. (Dec. 15-16, 1982), p. 217.

N-18) *Id*.

N-19) *Id*., p. 217.

N-20) *Whalen v. Roe*, 429 U.S. 589 (1977).

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T-9) SB 394 in 1981 legislature.

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V-5) See note V-2.

V-6) Manual 1984 supplement, *supra* note V-4, p. 31, and 1980 manual, *supra* note V-4, p. 115.

V-7) *Id*. p. 13.

V-8) Va. code 2.1-385.

V-9) Ark. Stat. Ann. sec. 16-807.

V-10) 74 Okla. Stat. Ann. 3111.

V-11) Ch. 683, Laws of 1979; see note at Va. Code 2.1-383.

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